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CITY AND COUNTY OF
SAN FRANCISCO

TAXICAB COMMISSION
MAYOR WILLIE L. BROWN JR.

LYNETTE SWEET, PRESIDENT
PAUL GILLESPIE, VICE PRESIDENT
PATRICIA BRESLIN, COMMISSIONER
R. BOWMAN LEONG, COMMISSIONER
MARY McGUIRE, COMMISSIONER
RICHARD WIENER, COMMISSIONER

NAOMI M. LITTLE, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

January 14, 2003 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

DOCUMENTS DEPT.

JAN 13 2003

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1. Pledge of Allegiance
2. Roll Call
3. Public Comment (Please limit public comment to items not on the agenda)
4. Approval of the Minutes for the December 10, 2002 Taxicab Commission Meeting. [ACTION]
5. Approval of the Consent Calendar [ACTION]
6. Taxicab Commission Announcements & Requests to Calendar Items
7. Staff Report
8. Hearing and Approval of Adopting Procedures for Calculating and Collecting Appropriate Sums from Color Scheme Permitholders to Offset the Increased Monthly Costs of Paratransit Script Incurred by the Paratransit Program Due to Increase Meter Rate Fare for Taxicabs pursuant to MPC § 1137.5. (Memo from MUNI's Accessible Services Program) [ACTION]
9. Hearing and Possible Suspension or Revocation of Permit No. 884, Held by Joel Hollander. [ACTION]
10. Hearing and Possible Suspension or Revocation of Permit No. 881, Held by Mark Hollander. [ACTION]
11. Hearing and Possible Suspension or Revocation of Permit No. 762, Held by Marguerite McGee. [ACTION]
12. Hearing and Possible Suspension or Revocation of Permit No. 52, Held by Querida Rivera [ACTION]
13. Hearing and Possible Approval of Summary Suspension of Driver Public Passenger Vehicle For Hire Permit Held by Charles Cleary. [ACTION]
14. Approval of Awarding Contract to Schaller Consulting to Develop a San Francisco Taxicab Service and Availability Survey. (Rating Sheet by Executive Director) [ACTION]
15. Adjournment.

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Taxicab Commission Agenda
Regular Meeting
January 14, 2003 6:30 PM
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of Driver Public Vehicle permits to:

Luis L. Aldeguer	Amr A. Alhourani	Fantahun Beerarra	Michael B. Davis
Jamal F.D. Eid	Andre M.D. Fonseca	Grant W. Gullikson	Ashraf M. Hasan
Charles E. Henry	Gregory Ishengoma	Roger John	Rabi Kc
Ashot A. Khachatryon	Mohammad Khushzad	Eduard Khytrykh	Michael J. Kissinger
Patrick A. Ledesma	Marcelo D. Maciel	Saleh M. Murisi	Leoncio Neto
Movita S. Patterson	Ratna B. Pokharel	Philip A. Schelly	Ratnesh Sharma
Leonid Y. Spektor	Jeffrey St. Pierre	Tesfamichael Tsegai	Seifu Zewedie
Eyad Abualdarak	Soloman Alemayehu	Youssef Bellovei	Clint Blatchford
Ricky Camacho	Ramod Chhetri	David Doering	Carlos M. Dossantos
Anwar S.M. Faqiryan	Delvin Kelley	Aung Kyaw	Victor L.H. Lee
Rachel A. Lim	Alex A. Liu	Christine R. Lotz	Michael T. Lyons
Marietta M. Mendoza	Charles G. Morton	Francisca Pucci	Ehsanollah Riazati
Oleg B. Samsonov	Kazuo Sashikata	Radha Singh	Kevin R. Stringfellow
Hoa Tran	Jeffrey L. Van Beck	Run T. Zhen	

B. Recommendation of the Police Taxicab Detail for approval of Taxicab Color Scheme changes to:

	Medallion Holder	Cab #	Change
1.	Kin Young Chow	975	Yellow Cab to Town Taxi
2.	Abdel Ibraheim	1110	Bayshore Cab to B&W Checker Cab

NOTICE

This is not an agenda item for this meeting, but serves as a public notice.

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the January 28, 2003 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER: *None*

RAMPED TAXICAB PERMIT HOLDER: *None*

NEW COLOR SCHEME: *None*

COLOR SCHEME CHANGES:

1.	*David Chow*	*1052*	*National Cab to Fog City Cab*
2.	*Thomas Cook*	*397*	*B&W Checker Cab to American Taxi*
3.	*Dan Hinds*	*724*	*DeSoto Cab to National Cab*
4.	*Khalil Jaser*	*9049*	*National Cab to Luxor Cab*
5.	*Hamed Mohamed*	*1173*	*Ocean Cab* to B&W Checker Cab*
6.	*Salvador Rodrigues*	*379*	*National Cab to Regents Cab*
7.	*Sonny Tam*	*318*	*Bay Cab to Fog City Cab*

** The change of this cab from Ocean will coincide with the closure to the Ocean Cab Taxicab Color Scheme*

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers

Copies of the commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm.

(Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact Sonya Banks at (415) 554-3940, at least 72 hours prior to the meeting. Late requests will be honored if possible.

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Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

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Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall, Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 234, by phone at (415) 554-7724, by fax at (415) 554-5163 or by e-mail at Donna_Hall@ci.sf.ca.us
Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Donna Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

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WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

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MINUTES

Commission Chambers – Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
January 14, 2003
6:30 PM

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Regular Meeting

PRESENT: Sweet; Gillespie; Breslin; Jackson; Leong; McGuire; Wiener

ABSENT:

PRESIDENT SWEET CALLED THE MEETING TO ORDER AT 6:36 PM

STAFF IN ATTENDANCE: Naomi Little, Executive Director - Taxicab Commission; Captain Thomas O'Neill, Lieutenant Bruce Lorin, Lieutenant Jeanne Schlotz, Sergeant Vince Simpson, Inspector Farrell Suslow, Officer Cynthia Kulstad – Taxicab Detail

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL – The Roll Call showed a quorum was present.**

3. **PUBLIC COMMENT**

- **Captain Tom O'Neill, Commanding Officer of Support Services Division:** On behalf of the Taxi Detail, would like to thank the Commission, Ms. Little, and the Taxi Department for all their hard work. He also thanked Lt. Bruce Lorin for his service to the taxi industry and to the San Francisco Police Department. Lt. Lorin will be retiring on Friday, January 17, 2002. Lt. Jeanne Schlotz will be replacing Lt. Lorin as the Officer In Charge of the Taxi Detail Division.
- **Barry Taranto:** He hopes a lot more fares get into everybody taxis this year. Welcomed Commissioner Jackson to the taxi industry. Proposition K and the taxi rules and regulation are what mainly govern this industry and would like for Commissioner Jackson to learn more about these two (2) documents. Would like the cab companies help in alerting drivers to avoid driving around 3rd and King Streets while under construction and about the 4th Street bridge going under construction in the spring. Would like to hold a hearing on how to make the Commission better as a community and work on convincing others that this Commission is working.
- **Peter von Wiegandt, Cab driver for 20 years:** Disagrees with the gate and meter increases because he feels that the drivers and passengers cannot afford the increases. The only people that benefit from the gate and meter increases are the large cab companies. He feels that the Commission is not interested in the drivers input and that they are treated like children. Why was this Commission formed, was it to make life easier on the driver?

Believes that this Commission has failed. This Commission has made it harder to make a decent living as a driver.

- **James Maddox:** On behalf of the San Francisco Taxi Permitholders and Drivers Association welcomed Commissioner Jackson. Business is slow in the taxi industry. Would like the industry to find ways to integrate taxicab travel with other means of public transit. He would volunteer his time to any committee on behalf of their organization to find ways to incorporate more business into the industry.
- **Jim Kennedy:** Opposed the gate and meter increases. It is ridiculous to make the gate and meter increases in the time of a recession. The gate and meter increases will drive long time and professional drivers out of the industry. Confused about meter increase as far as paratransit is concerned. The Board of Supervisors increased the meters from $2.75 to $2.85 to cover the taxi scrips additional cost. They also allow the cab companies to increase their gates to an additional $1.50 from $90.00 to $91.50. How is Muni going to collect the money from the gate and meter increases?
- **George England:** Informed Commissioner Jackson there is a lot of good work to be done in the industry. It's going very slowly but I think we're making headway. Cab drivers are subsidizing the companies and the medallion holders and now were going to subsidize paratransit. I agree with everything that Mr. Maddox said. Our emphasis here needs to be on promoting cab usage.
- **Bruce Oka:** Commissioner Jackson will have an interesting time with the taxi industry. Disagrees with the gate and meter increases. On June 7, 2001, the Paratransit Coordinating Council suggested meeting with Taxi Detail, Taxi Commission, drivers, and managers to discuss why the ramp taxi program was not working as well as it was supposed to. Commissioner Alunan stated previously that about 15-20 percent of ramp taxi drivers are not picking up orders. Although, now the service is better but if the drivers were involved before the rate increase went into effect he believes a lot of problems would have been avoided. No drivers are making any money. There are to many cabs out there and he doesn't believe the taxi drivers are getting a chance to input their suggestions.
- **Peter Witt:** Yellow Cab driver for 14 years native San Franciscan. Surveyed 4,500 customers in the last five (5) years. Supervisor Gavin Newsome has put a motion before the Board of Supervisors to have the Taxi Commission moved over to the Metropolitan Transportation Authority. The increases in the gates are ridiculous. The taxi industry is made up of a majority of drivers that do not own medallions. The driver representative on the Taxi Commission does not represent the drivers as a whole and has not address the problems of the drivers. Wrote a letter to PUC and the Taxi Commission about limousine cursing law that can be implemented by the Board of Supervisor if the Taxi Commission desire. Taxi Detail should enforce the limousine law. Taxi stands have been ignored.
- **Dominic Rodrigues:** I drive ramp medallion #507. The cab companies collect about $4,000 to $5,000 on my medallion and I only get $1,200 a month. He feels that with the ramped medallion that you are treated like a 3rd class citizen. He feels that the drivers should get some part of the gate increase, it shouldn't only go to the companies.
- **Henry Kim:** Gave his prospective of the gate and meter increases and how it has affected this industry. The increase cost in the last few years for cab companies has been monumental and historic. The gate increase is about 7% and meter 12%. Historically every time the meter has gone up the drivers has made more money. Received input from drivers at Luxor Cab and yes, it is slow right now and the increases came at a bad time in January, but the drivers are taking more money home. Look at other reasons why business is bad not at the gate and meter increases. Cab companies are not meeting their cost even with the increases.

4. APPROVAL OF THE MINUTES FOR THE DECEMBER 10, 2002 TAXICAB COMMISSION MEETING

Commissioner Wiener moved the minutes be approved. Commissioner Leong seconded the motion.

AYES: Sweet, Gillespie, Breslin, Jackson, Leong, McGuire, Wiener
NOES: None

5. APPROVAL OF THE CONSENT CALENDAR

Commissioner Wiener moved the approval of the consent calendar except item 5B1. Commissioner Gillespie seconded the motion.

AYES: Sweet, Gillespie, Breslin, Jackson, Leong, McGuire, Wiener
NOES: None

Commissioner Gillespie moved the approval of the consent calendar item 5B1. Commissioner Leong

seconded the motion.

AYES: Sweet, Gillespie, Breslin, Jackson, Leong, McGuire
NOES: None **RECUSED:** Wiener

6. TAXICAB COMMISSION ANNOUNCEMENTS & REQUESTS TO CALENDAR ITEMS

Commissioner Leong: Wished everyone a Happy New Year and expect this to be a good and productive year. Best wishes to Lt. Lorin on his retirement. Welcomed Commissioner Jackson and he looks forward to working with him.
Commissioner Wiener: He has gained a lot of experience working with Lt. Lorin. Lt. Lorin is sincere and a hard working police officer. Request to calendar, possibly in April, the review and effectiveness of the new taxi stands and the possibilities of adding more taxi stands. He hopes that these stands are wanted and desired by public and drivers. 2) To calendar a hearing for the Taxi Commission can set alternative standards for compliance with the driving requirement such as the total number of hours as opposed to the total number of shifts. 3) Calendar a hearing to get information on the new Muni's "swipe cards" program for paratransit and I liked that to be at the "call of the chair" hopefully as soon as possible.
Commissioner McGuire: Would like status of taxi stands. Maybe we can get someone from DPT to talk about the enforcement of the taxi stands because often limousine and/or private cars take up the stands. At the safety hearing held on December 16, 2002 one of the speaker, Furlishous Wyatt from SAFE, suggested how to make our business area safe by increased lighting and having the community to be alert. If anyone from the cab companies would like to work with her on safety, maybe to form a business watch group, please contact her. Would like the Red Robber flyer to be distributed to all drivers.
Commissioner Gillespie: Welcomed Arthur Jack to the Taxi Commission. First met Lt. Bruce Lorin in 1997, he is someone he really valued knowing. Lt. Lorin is straightforward and very knowledgeable about this Industry. He has a lot to contribute to this city. Good Luck.
Commissioner Breslin: Thanks to Lt. Bruce Lorin especially for his willingness and patience. Welcomed Commissioner Jackson. A lot of drivers get passed by when they can't accept credit cards at the airport. Would like to encourage cab companies to install credit card swipe machine. Would like to schedule through the chair special attention on refusal to convey from cab drivers and dispatchers. Would like alternation standards to the total number of hours required for the driving requirement.
Commissioner Sweet: Special thanks to Lt. Lorin. Welcomed Commissioner Jackson. Would like to adjourn the meeting in memory of former Commission Rachialle Franklin's son who was killed in a car accident on New Year Eve.

PUBLIC COMMENT:

- **Jim Kennedy:** Is it mandated that every cab in this city install swipe cards to accommodate Muni? Are medallion holders required to come up with $2,000 security deposit for the swipe machine? There are many time that I have had a failure to convey for many different reasons. It is required by law and this Commission to except paratransit script but Muni refused to except the paratransit script because we don't have 30 cabs or belong to a dispatch company that has 30 cabs. Wishes Muni would convey with the Taxi Commission and not have conflicting rules for reimbursement of the paratransit scripts.
- **XXXX:** Believes its discriminatory and he does not approve of drivers who do "Refusal to Convey". Does not approve of installing the credit card swipe machines because of the time it take for connection of approval of funds.
- **Jim Nakamura:** Regarding "Refusal to Convey" you are asking drivers who are starving to take unprofitable rides, no business take unprofitable business.

7. STAFF REPORT

Naomi Little, Executive Director: Welcomed Commissioner Arthur Jackson. Thanked Lt. Lorin for his great work in the taxi industry. 1) As you know, the meter increase was implemented on January 4th of this year. I have received no complaints from the public. Almost all cabs now have the $2.00 extra button in use on their meters. Sometime during this month, the Airport will start charging $2.00 for every other short. 2) Financial Statement were due on January 4th as of today, these are the companies that have turned in their financials: Alliance, American, Arrow, Big Dog City, Crown, Friendly, Luxor, Metro, National, Royal, United, Veterans, Yellow. Those companies that have not turned in their financials: 49er, Bay, Bayshore, B&W Checker, Central, Delta, DeSoto, Diamond, Executive, Fog City, Gold Star, King, KSJ, Lucky, Regents, SF Super Cab, SF Taxicab, Town, USA Cab, Worldwide. 3) As for National Cab Company, on December 16th, they came into compliance by acquiring $1 million automobile liability insurance. You should have received a memo in regards to penalties that can be assessed. You may want to schedule

a hearing at some later date. 4) You may have heard, but on Monday during the Roll Call of the Board of Supervisor's hearing, Supervisor Gavin Newsom is intending to introduce legislation that would consolidate the taxicab duties and responsibilities under Metropolitan Transportation Authority. 5) Tomorrow at the Board of Permit Appeals, two cases will be heard: David Adams and Mohommad Bakir. Later on this month, Vernon Lidell will be heard for the last time at the Board of Permit Appeals. 6) The continuation of the PCN Hearing will be on January 28, 2003. 7) Drivers of the year press release will be going out tomorrow. 8) San Francisco Airport will be working on a new "Flat Rate Sheet" from the airport to cities surrounding the airport. 9) Safety Hearing and the Annual Report that I prepared for 2002 will be scheduled for January 28 or February 11th depending on the length of the agenda. 10) There has been a lot of questions about RFP for debit card with the paratransit program. I will schedule a hearing on debit cards and hopefully Muni will send their representative. I do know that RFP for debit cards for the paratransit program is due on January 27th. Personally, I think it is good for customer service and also for safety issues because it reduce the amount of cash in the taxicabs.

PUBLIC COMMENT:

- **Jim Kennedy:** Just wanted to repeat that the debit card machine cost a lot of money. Suggested coming up with the money before the debit machine are mandated of a striving dying industry.
- **Bruce Oka:** The intention of Supervisor Newsom to put the Taxi Commission under MTA, where is the money coming from, what is this going to do to the taxi industry which is already hurting. Please consider the taxi drivers before making this decision.

8. **HEARING AND APPROVAL OF ADOPTING PROCEDURES FOR CALCULATING AND COLLECTING APPROPRIATE SUMS FROM COLOR SCHEME PERMITHOLDERS TO OFFSET THE INCREASED MONTHLY COSTS OF PARATRANSIT SCRIPT INCURRED BY THE PARATRANSIT PROGRAM DUE TO INCREASE METER RATE FARE FOR TAXICABS PURSUANT TO MPC § 1137.5. (MEMO FROM MUNI'S ACCESSIBLE SERVICES PROGRAM)**

Annette Williams, Manager of Accessible Services for Muni: Gave a presentation to the Commissioners on collecting the appropriate sums from Color Scheme Permitholders.

Marc Soto, Paratransit Broker: Supports Muni's calculation of sums to be collected.

Commissioner Wiener moved the approval of adopting procedures for calculating and collecting appropriate sums from color scheme permitholders to offset the increased monthly costs of paratransit scripts. Commission Gilliespie seconded the motion.

AYES: Sweet, Gillespie, Breslin, Jackson, Leong, McGuire, Wiener
NOES: None

PUBLIC COMMENT:

- **Jim Kennedy:** Dates are wrong it reads 1/24 and should read 1/14 for today meeting. Confused about Muni's calculation of fees to be collected. Muni's rules states that you must have at least 30 medallions or join a dispatch service with 30 medallions before the paratransit broker will redeem taxi scrip. This arbitrary 30 medallions rule may be a violation of the small business and unfair competition laws of California.
- **Mark Gruber:** Would like to add his own comments to what Annette Williams and Marc Soto presented. He doesn't believe that a city agency can promulgate a rule. That's a direct violation of the city ordinance. If you call for a ramp taxi there are many companies that may only have three (3) ramped taxis. They are not providing the kind of coverage that you would want citywide for ramp taxis. Muni does not have any rules that state you must have a certain number of ramped taxis in order to provide ramped services. He believes that Muni did not want to have contracts with three dozen-color schemes, some of which only have one (1) cab.
- **Henry Kim, San Francisco Taxi Association:** He agrees with Mark Gruber statements. It is ridiculous that we have to subsidize paratransit. We only agreed because the Supervisors said there was no money available in general funds for paratransit. Paratransit utilize the existing taxicab network and saved a tremendous amount of money in cost. He believes that paratransit should be paying the taxicab companies for being able to utilize our services. Reminded everyone that in the legislation it states if "the City and County of San Francisco reauthorize a new sale tax to fund transportation the Board of Supervisors shall convene a hearing to consider if it is necessary to continue the program design to offset Muni increased paratransit cost".
- **George England, Luxor Cab driver:** He takes lots of paratransit fares but today he barely had one paratransit

fare, barely any fairs of any kind. When we get the financial statements maybe there will be some indication of how much is going into the pockets of medallion holders and what is the justification, what is the authority. I don't think cab drivers should be subsidizing the paratransit program. If companies like Enron, World Com and General Electric and some of these other companies can be forced to make some adjustments then I think this Commission can be forced to make some changes in this industry. There's no reason in the world why working cab drivers should be working for minimum wages.

- **Bruce Oka:** He has worked for the Office of Civil Rights for fifteen years, he has some legal background. It is legal according to the Police Rules and Regulations "you must comply with Muni in order to be in the paratranist program".
- **Olivo Deallagialoma:** Muni should look into raising its bus fares instead of picking the pockets of the cab industry.

9. HEARING AND POSSIBLE SUSPENSION OR REVOCATION OF PERMIT NO. 884, HELD BY JOEL HOLLANDER.

Inspector Suslow of the San Francisco Police Department presented the case on behalf of Taxi Detail.
Joel Hollander spoke on his own behalf.

Commissioner Gillespie moved to revoke permit #884 held by Joel Hollander. Commissioner Leong seconded the motion.

AYES: Sweet, Gillespie, Breslin, Jackson, Leong, Wiener
NOES: None **RECUSED:** McGuire

PUBLIC COMMENT:

- **Olivo Dallagialoma, Yellow Cab:** Proposition K is lacking guidelines for the elderly drivers that should retire. Would like to see that Proposition K re-written in the future.
- **George England:** Once again we're faced with the dysfunction of Proposition K. We need to determine as quickly as possible whether a medallion is in fact a business license or is a medallion a right to a life-time pension? If all drivers had to go out and work and when they were no longer able to work they gave up the medallion. We need to look at this again. There needs to be some work done to determine is a medallion business license and you get in revenue, which you go out and earn or is it a lifetime pension. If it's a life-time pension then those old guys like himself, that's been driving for a long time, ought to be entitled to a medallion instead of the people that got on some "special" list who aren't driving. The cab drivers are doing the work, if you don't have drivers then you don't have an industry.
- **Dan Hind, General Manger of National Cab:** He has only been manager of National Cab since December 1st. He does not know the three medallion holder personally but he knows the recently history of their cases. The Hollander family has been in the San Francisco cab business since 1950, their father was the founder of DeSoto Cab. He informed Sergeant Simpson that these people he believed were disable and he had no waybills on file. This industry has been struggling with the disability issue as it relates to Proposition K. The three (3) medallion holders up for revocation tonight, he believes are unable to drive.
- **Mark Gruber:** Urged the Commission to take the falsification of these document seriously. In previous years, the industry submission of waybills has been done on an honor system and there is no honor in falsifying documents.

10. HEARING AND POSSIBLE SUSPENSION OR REVOCATION OF PERMIT NO. 881, HELD BY MARK HOLLANDER

Sergeant Vince Simpson of the San Francisco Police Department presented the case on behalf of Taxi Detail.
Mark Hollander spoke on his own behalf.

Commissioner Gillespie moved to revoke permit #881 held by Mark Hollander. Commissioner Jackson seconded the motion.

AYES: Sweet, Gillespie, Breslin, Jackson, Leong, Wiener
NOES: None **RECUSED:** McGuire

PUBLIC COMMENT:

- **XXXX:** Does not know any of these permit holders here tonight. It is very sad that none of the people tonight are able to drive anymore because of disabilities. The Commission has a tough job to do tonight.
- **Jim Nakamura:** San Francisco Taxi Permit Holders and Drivers Association won an appellant decision against the San Francisco Taxi Commission over its interpretation of Proposition K last year. He doesn't think the Commission is obligated to follow the bad legal advise that they have been receiving for over 20 years. The Commission would like to take these medallions away from these life long drivers and give them to people on the medallion waiting list. You don't have to be driving or in the industry to get on the medallion waiting list.

11. HEARING AND POSSIBLE SUSPENSION OR REVOCATION OF PERMIT NO. 762, HELD BY MARGUERITE MCGEE

Sergeant Vince Simpson of the San Francisco Police Department presented the case on behalf of Taxi Detail.
Marguerite McGee spoke on her own behalf.
Pharod McGee spoke on behalf of his wife.

Commissioner Wiener moved to continue the hearing for permit #762 held by Marguerite McGee. Commissioner Jackson seconded the motion.

AYES: Sweet, Gillespie, Breslin, Jackson McGuire, Wiener
NOES: Leong

PUBLIC COMMENT:

- **James Maddox:** Wanted to know if the Commissioners were familiar with the term "some limited allowance". None of the revocations tonight are members of the PDA. Have known Peggy for 25 years. We advise our members of the ADA process. It is unfortunate that the revocation cases tonight received misinformation in filling out their waybill. He wants to request a continuance on behalf of Ms. McGee.
- **Mark Gruber:** The Commission has a very difficult job tonight with the revocation cases. He is sympathetic with the inability and disability of drivers who can no longer driver. Need to have a discussion on what can be done for drivers that can no longer drive. Not only for permit holders but all drivers. The permit holders have turn their backs on that discussion, they are only interested in how they can keep their permits for life, the hell with the rest of the drivers.
- **George England:** The money from the medallion should go into a trust fund. The medallion holders should work full time and whatever money received is what they actually earned as full time working cab drivers. Agrees with revocation for falsification of waybills.
- **Ralph Hoffschildt, In taxi industry for over 30 years:** Speaking on behalf of Peggy McGee. He views Ms. McGee as a city employee. Would like to see Ms. McGee's case continued until she can obtain legal advise. Ms. McGee is a long time driver in this industry. Please give her some consideration for her many years of service.
- **Jim Nakamura:** He finds it amazing that all the S.F.P.D. can investigate taxi drivers when murders are taking place. The law stated in Proposition K is if you stop driving full time you lose your medallion. He doesn't think that $20,000 a year is a lot of money if you're sick and have to buy medication and living expenses. The revocation guidelines that make falsification a big deal was only passed last year. This is an all cash industry and believes that everybody falsifies documents. Please do not judge these people so severely.

12. HEARING AND POSSIBLE SUSPENSION OR REVOCATION OF PERMIT NO, 52, HELD BY QUERIDA RIVERA.

Inspector Suslow of the San Francisco Police Department presented the case on behalf of Taxi Detail.
Querida Rivera spoke on her behalf.

Commissioner Breslin moved to revoke permit #881 held by Mark Hollander. Commissioner Leong seconded the motion.

AYES: Sweet, Gillespie, Breslin, Jackson, Leong, Wiener
NOES: None
RECUSED: McGuire

PUBLIC COMMENT:

- **Barry Taranto:** He wanted to gain more knowledge on the revocation hearing held at tonight meeting. By Ms. Rivera moving to Alaska she knew she would not be able to fulfill the driving requirement. Would like to see medallion holders purchase financial planning for their future. He feels that by having a medallion it is not a retirement plan. Although he feels bad about the outcome on the revocation because these they are unable to drive but he disagrees with falsifying waybills. Complimented the San Francisco Police Department Taxi Detail for their investigation on tonight cases.
- **Jim Nakamura:** He keeps hearing the phase "a medallion is a retirement plan", it is a business license. The City should not treat its long time cab drivers in this manner it is not good for the industry. Maybe the permit holder should be provided with a retirement plan.

13. HEARING AND POSSIBLE APPROVAL OF SUMMARY SUSPENSION OF DRIVER PUBLIC PASSENGER VEHICLE FOR HIRE PERMIT HELD BY CHARLES CLEARY.

Sergeant Vince Simpson of the San Francisco Police Department presented the case on behalf of the Taxi Detail. **Charles Cleary** spoke on his own behalf.

Commissioner Leong moved to have Charles Cleary, Driver Public Passenger Vehicle For Hire Permit suspended for up to one (1) year, completion of a certified anger management class, one (1) year probation, and attend taxi classes. Commissioner Jackson seconded the motion.

AYES: Sweet, Gillespie, Breslin, Jackson, Leong, Wiener
NOES: None

14. APPROVAL OF AWARDING CONTRACT TO SCHALLER CONSULTING TO DEVELOP A SAN FRANCISCO TAXICAB SERVICE AND AVAILABILITY SURVEY.

Commissioner Wiener moved approval of awarding the contract to Schaller Consulting. Commissioner Breslin seconded the motion.

AYES: Sweet, Gillespie, Breslin, Jackson, Leong, McGuire, Wiener
NOES: None

PUBLIC COMMENT:

- **Barry Taranto:** Supports contracting a consultant to actually do research to see how many cabs is needed and how good the cab service is in San Francisco. Would like samples of the contracts. The Commission staff should look at other city offices consultant contracts.
- **George England:** Is this government in action, more studies, more contracts and more consulting. He wants to see action. Around a year ago there was a comprehensive report from SPURS about what was needed in the industry. He suggested looking back at the SPURS report and start implementing before contracting another consultant to do a study. Disagrees with doing another study.
- **Peter Witt:** He feels it will be too little - too late when the report is received. Disagrees with putting this important item at the end of the agenda. He states the Commission does not want the drivers comments on this subject. This Commission has ignored the police report, which stated no more cabs were needed and the Commission added more cabs anyway. He would have like to see the public surveyed on the fare increase and the quality of the drivers.

15. ADJOURNMENT

Commissioner Wiener moved to adjourn at 11:38 p.m. Commissioner Gillespie seconded the motion.

Respectfully submitted,

Sonya Banks
Commission Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXICAB COMMISSION
MAYOR WILLIE L. BROWN JR.

LYNETTE SWEET, PRESIDENT
PAUL GILLESPIE, VICE PRESIDENT
PATRICIA BRESLIN, COMMISSIONER
ARTHUR JACKSON, COMMISSIONER
R. BOWMAN LEONG, COMMISSIONER
MARY McGUIRE, COMMISSIONER
RICHARD WIENER, COMMISSIONER

NAOMI M. LITTLE, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

January 28, 2003 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

DOCUMENTS DEPT.

JAN 30 2003

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1. Pledge of Allegiance
2. Roll Call
3. Public Comment (Please limit public comment to items not on the agenda)
4. Approval of the Minutes for the January 14, 2003 Taxicab Commission Meeting. [ACTION]
5. Approval of the Consent Calendar [ACTION]
6. Taxicab Commission Announcements & Requests to Calendar Items
7. Staff Report
8. Annual Public Convenience and Necessity Hearing for Taxicabs. Possible Action to Adopt Commission Resolution Declaring Public Convenience and Necessity. (Continued from 12/10/02) [ACTION] (Public Testimonies)
9. Hearing and Discussion of the Safety Report Presented by the Executive Director from December 16, 2002 Annual Safety Hearing. [DISCUSSION] (Report)
10. Hearing and Possible Approval or Denial of Medallion Holder Permit to Jack Dudum, Jr. (Continued from 11/26/02) [ACTION]
11. Approval of Findings Recommending Revocation of Permit No. 884, Held by Joel Hollander. [ACTION] (Findings)
12. Approval of Findings Recommending Revocation of Permit No. 881, Held by Mark Hollander. [ACTION] (Findings)
13. Approval of Findings Recommending Revocation of Permit No. 52, Held by Querida Rivera. [ACTION] (Findings)
14. Approval of Findings Upholding the Summary Suspension of Driver Public Vehicle Permit Held by Charles Cleary. [ACTION] (Findings)
15. Adjournment.

Taxicab Commission Agenda
Regular Meeting
January 28, 2003 6:30 PM
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of Driver Public Vehicle permits to:

Aiman M.S. Abuhamdieh	Keiser S. Alves	Fauzi H. Bahmad	Suresh Chander
Troy A. Devore	Victor V. Dmitrienko	Michael L. Dunn	Mohamed Gamea
Farzad A. Laghaei	Sham Lal	Juan Largaespada	Faraz A. Mirza
El Houssine Latrache	Balam Munoz	Benjamin Mitchell	Driss Ouchani
Mikhail M. Raykhman	Seyit A. Ozer	Gregory B. Penders	Matvey Petkov
David P. Robertson	Amqad M. Suliman	Paulos A. Tilahun	Leonid Tsiparsky
Austin O. Williams	Myo Zin		

B. Recommendation of the Police Taxicab Detail for approval of Taxicab Color Scheme changes to:

	Medallion Holder	Cab #	Change
1.	David Chow	1052	National Cab to Fog City Cab
2.	*Thomas Cook***	*397*	*B&W Checker Cab to American Taxi*
3.	Dan Hinds	724	DeSoto Cab to National Cab
4.	Khalil Jaser	9049	National Cab to Luxor Cab
5.	Hamed Mohamed	1173	Ocean Cab* to B&W Checker Cab
6.	Salvador Rodrigues	379	National Cab to Regents Cab
7.	Sonny Tam	318	Bay Cab to Fog City Cab

*** NOTE: Request Withdrawn 01/13/03*

NOTICE
This is not an agenda item for this meeting, but serves as a public notice.

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the February 11, 2003 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER:
Bernard Dethiers
Lincoln Vui Tran

RAMPED TAXICAB PERMIT HOLDER:
Terry Chan
Tin MyintU

NEW COLOR SCHEME: *None*

COLOR SCHEME CHANGES:

1.	*Olivo Dallagiacoma*	*720*	*Yellow Cab to DeSoto Cab*
2.	*Reynaldo Datlag*	*1048*	*Yellow Cab to Bay Cab*
3.	*David Johns*	*139*	*National Cab to B&W Checker*
4.	*Ahmed Kabo*	*9035*	*Luxor Cab to National Cab*
5.	*Ray Larkin*	*235*	*National Cab to Bay Cab*
6.	*Wallace Lau*	*9059*	*Town Taxi to Regents Cab*

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers.

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(Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

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The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90. For information about MUNI accessible services, call (415) 923-6142.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall, Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 234, by phone at (415) 554-7724, by fax at (415) 554-5163 or by e-mail at Donna_Hall@ci.sf.ca.us
Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Donna Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcodc.htm

SAN FRANCISCO LOBBYIST ORDINANCE

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Admin. Code §16.520-16.534] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 1390 Market Street, Suite 701, San Francisco, CA 94102, telephone (415) 554-9510, fax (415) 703-0121 and web site http://www.ci.sf.ca.us/ethics/

WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

CITY AND COUNTY OF
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TAXICAB COMMISSION
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ARTHUR M. JACKSON, COMMISSIONER
R. BOWMAN LEONG, COMMISSIONER
MARY McGUIRE, COMMISSIONER

3
2
8/03

MINUTES

Commission Chambers – Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
January 28, 2003
6:30 PM

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JAN - 9 2004

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Regular Meeting

PRESENT: Sweet; Gillespie; Breslin; Jackson; Leong; McGuire

ABSENT:

PRESIDENT SWEET CALLED THE MEETING TO ORDER AT 6:37 PM

STAFF IN ATTENDANCE: Naomi Little, Executive Director - Taxicab Commission; Captain Thomas O'Neill, Lieutenant Jeanne Schlotz, Sergeant Vince Simpson, Inspector Farrell Suslow, Officer Cynthia Kulstad – Taxicab Detail

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL – The Roll Call showed a quorum was present.**

3. **PUBLIC COMMENT**

- **Bruce Oka:** Informed the Commissioners that he and Ms. Graham are in the process of compiling data on certified ramped taxi drivers. He wants more drivers to be train on ramp taxi procedures. Would like for managers of cab companies to assist with the payment for training ramp taxi drivers.
- **Barry Taranto:** The Fell Street off ramp construction has been postponed until March 2003. Deeply sadden to hear of Commissioner Wiener's resignation. Commissioner Wiener brought valuable contributions to the Taxi Commission. The economy is really bad when a female driver will risk her life over a $25.00 fare. Would like to hold a hearing to discuss the status of business in the industry.
- **Robert Cesana:** Wants the Commission to develop a solution under the Americans with Disabilities Act for drivers that are too old to continue driving or who may have become disabled. The Commission needs a second opinion from the City Attorney about the disability procedures. He would like the Commission to consider driving requirement regulations for people on the medallion waiting list. He wants every driver on the waiting list to comply with the 800 hours of driving requirement and if they do not comply, their names would be removed from the waiting list.
- **Tara Housman:** She would like to see retirement and disability benefits for all taxi drivers. The Taxi Commission should apply for Proposition B funds to help with establishing a retirement and disability benefits for drivers.

- **George England:** Commissioner Wiener contributed a lot to the Taxi Commission. Would like our legal experts to address whether or not a medallion is a pension or retirement. He suggested all long time drivers who have made a commitment in the industry received medallions regardless if their names are on the waiting list. Need to try to keep experienced drivers in the industry. Agrees with Robert Cesana's statement that everybody on the medallion waiting list should comply with the driving requirements.
- **Thomas George-Williams:** Would like to see changes made in the industry. He believes there are more cabs on the streets than people. He suggested a reduction of cabs that operate on the streets per day. He drives five days a week at minimum wage.

4. APPROVAL OF THE MINUTES FOR THE JANUARY 14, 2003 TAXICAB COMMISSION MEETING

Commissioner Jackson moved the minutes be approved. Commissioner Gillespie seconded the motion.

AYES: Sweet, Gillespie, Breslin, Jackson, Leong, McGuire **NOES:** None

5. APPROVAL OF THE CONSENT CALENDAR

Commissioner Leong moved the approval of 5A of the Consent Calendar. Commissioner Jackson seconded the motion.

AYES: Sweet, Gillespie, Breslin, Jackson, Leong, McGuire **NOES:** None

Commissioner Jackson moved the approval of 5B 1, 3, 4, 6 of the Consent Calendar. Commissioner Gillespie seconded the motion.

AYES: Sweet, Gillespie, Breslin, Jackson, Leong **RECUSED:** McGuire

Commissioner Breslin moved the approval of 5B5 of the Consent Calendar. Commissioner Leong seconded the motion.

AYES: Sweet, Gillespie, Breslin, Jackson, Leong, McGuire **NOES:** None

Commissioner Jackson moved the approval of 5B7 of the Consent Calendar. Commissioner Gillespie seconded the motion.

AYES: Sweet, Gillespie, Breslin, Jackson, Leong, McGuire **NOES:** None

6. TAXICAB COMMISSION ANNOUNCEMENTS & REQUESTS TO CALENDAR ITEMS

Commissioner Sweet: Would like to schedule an official "Farewell Day" to Commissioner Richard Wiener.
Commissioner McGuire: Would like to calendar a hearing to discuss Healthcare for the industry.

PUBLIC COMMENT:

- **Tara Housman:** Cab drivers and companies are devastated about Kaiser Hospital dropping independent contractors from receiving medical benefits. She suggested calendaring a hearing on healthcare and would like to invite a representative from Kaiser Hospital.

7. STAFF REPORT

Naomi Little, Executive Director: 1) On April 23, 2002, the Taxi Commission adopted a Rule 5.C.34 requiring security cameras be implemented in all taxicabs within nine (9) months. All San Francisco taxicabs must be equipped with security cameras by February 24, 2003. The majority of permitholders have purchased security cameras. It is ultimately the Color Schemes responsibility to ensure the cameras are installed. Some manufactures are not being able to make 1,600 cameras by the February 24, 2003 deadline. Those companies with that difficulty need to contact the Executive Director this week, not February 23rd. Taxicabs without security cameras in installed by February 24th, 2003 will be assessed a $150 fine. If security cameras are not installed by March 10, 2003, a $450 fine will be assessed and it will be recommend to the Taxi Commission that the Color Scheme permit be suspended. These fines are pursuant to MPC 1077 and 1185 that makes violations of the Taxi Commission's Rules for Taxicabs an infraction

and establishes a fine. 2) This Friday, January 31, 2003, at 4:30 p.m. on the Mayor's Balcony at City Hall, Martin Smith will be appointed to the Taxi Commission as the permitholder/taxi company representative. 3) At the January 15, 2003 Board of Permit Appeals Meeting, the Board voted 3-2 that it did not have jurisdiction to hear David Adams appeal. The Board also decided to overturn the Taxi Commission's decision to revoke Mohamad Bakir's revocations and suspend his permit for two months. Vernon Lidell's case will be heard tomorrow. 4) Voluntary CPR training by the Red Cross is scheduled for March 15, 2003 at the Moscone Center. Muni employees will be invited.

8. ANNUAL PUBLIC CONVENIENCE AND NECESSITY HEARING FOR TAXICABS. POSSIBLE ACTION TO ADOPT COMMISSION RESOLUTION DECLARING PUBLIC CONVENIENCE AND NECESSITY.

Commissioner McGuire moved that the Taxi Commission resolve the Public Convenience and Necessity for taxi services is sufficiently met by the currently authorize 1381 taxi permits and that the Public Convenience & Necessity does not warrant the authorization of any additional permits. Commissioner Gillespie seconded the motion.

AYES: Sweet, Gillespie, Breslin, Jackson, Leong, McGuire NOES: None

PUBLIC COMMENT:

- **George England:** Why is the Taxi Commission hearing another PC& N, it should have been completed at the December 10th PC&N hearing. There is no indication that more cabs are needed. The industry needs someone to generate more business for taxi services instead of adding more cabs.
- **Robert Cesana, Medallion Holder:** He has been driving for 24 years. Disagrees with adding more cabs. Suggested that 25% of taxi services should not operate at lease once a week, this will allow for the cab driver to make a living. It is partly the Taxi Commission fault that business is bad in the industry.
- **Mark Gruber:** Agrees with the Golden Gate Restaurant Association's proposal not to add more cabs at this time.
- **Barry Taranto:** Wants the City Attorney's opinion regarding continuing the PC&N hearing to be made public. He feels it is illegal to carry over the PC&N hearing from year to year.
- **Henry Kim:** Disagrees with adding more cabs. There are too many cabs on the street right now to consider adding anymore.
- **Ruach Graffis, United Taxi Workers:** She has been driving since 1973. The cab companies need to make adjustments for the lack of business. There is not enough business in the industry to consider adding more cabs. Agrees with Mr. William's comments regarding reducing the number of cabs on the street per week.

9. HEARING AND DISCUSSION OF THE SAFETY REPORT PRESENTED BY THE EXECUTIVE DIRECTOR FROM DECEMBER 16, 2002 ANNUAL SAFETY HEARING.

Naomi Little, Executive Director: Gave presentation on the Taxi Commission Annual Safety Hearing.

PUBLIC COMMENT:

- **Barry Taranto:** Thanked Naomi Little for the Safety Report. Clarified that he was not upset with the police statS but only had concerns about the criminal activity against cab drivers.
- **Bruce Oka:** Invited Commissioner Jackson to attend the Paratransit Coordinating Council work group. They teach how to secure disable passengers into taxi. He had concerns over how ADA affects the taxi services. Thanked Executive Director Little for her safety report.
- **Mark Gruber:** The shield does not work well together with the cameras in the cabs. He is partial to Charles Rathbone but does not want to encourage installing shields.
- **Robert Cesana:** Why is there controversy over cameras and shields? The City is making everything so expensive in the industry. He believes the cameras will be used in revocation hearings against the drivers.
- **Jane Bolig:** The vast majority of drivers do not like the shield. She would like to make the shield an option. We need to find a way to attract people into the industry.

10. HEARING AND POSSIBLE APPROVAL OR DENIAL OF MEDALLION HOLDER PERMIT TO JACK DUDUM, JR. (WITHDRAWN)

PUBLIC COMMENT:

- **Barry Taranto:** Applauded Officer Kulstad and the Taxi Detail for their outstanding investigation on Jack

Dudum, Jr.'s application.

11. **APPROVAL OF FINDINGS RECOMMENDING REVOCATION OF PERMIT NO. 884, HELD BY JOEL HOLLANDER.**

Commissioner Gillespie moved the approval of alternative 1 finding for Joel Hollander. Commissioner Leong seconded the motion.

AYES: Sweet, Gillespie, Jackson, Leong **NOES:** Breslin
RECUSED: McGuire

12. **APPROVAL OF FINDINGS RECOMMENDING REVOCATION OF PERMIT NO. 881, HELD BY MARK HOLLANDER.**

Commissioner Breslin moved the approval of alternative 1 finding for Mark Hollander. Commissioner Leong seconded the motion.

AYES: Sweet, Gillespie, Breslin, Jackson, Leong **RECUSED:** McGuire

13. **APPROVAL OF FINDINGS RECOMMENDING REVOCATION OF PERMIT NO. 52, HELD BY QUERIDA RIVERA.**

Commissioner Gillespie moved the approval of the findings for Querida Rivera. Commissioner Leong seconded the motion.

AYES: Sweet, Gillespie, Breslin, Jackson, Leong **RECUSED:** McGuire

PUBLIC COMMENT:

- **George England:** He made a general comment on the three revocation cases. He believes that falsification of waybills goes on in every cab company. In the above three cases the manager paid a high price for his participation in falsifying waybills.

14. **APPROVAL OF FINDINGS UPHOLDING THE SUMMARY SUSPENSION OF DRIVER PUBLIC VEHICLE PERMIT HELD BY CHARLES CLEARY.**

Commissioner Gillespie moved the approval of the findings for Charles Cleary. Commissioner Leong seconded the motion.

AYES: Sweet, Gillespie, Breslin, Jackson, Leong McGuire

15. **ADJOURNMENT**

Commissioner Jackson moved to adjourn at 8:31 p.m. Commissioner Gillespie seconded the motion.

Respectfully submitted,

Sonya Banks
Commission Secretary

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MARY McGUIRE, COMMISSIONER
MARTIN SMITH, COMMISSIONER

NAOMI M. LITTLE, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

February 11, 2003 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

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FEB 10 2003
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1. Pledge of Allegiance
2. Roll Call
3. Public Comment (Please limit public comment to items not on the agenda)
4. Approval of the Minutes for the January 28, 2003 Taxicab Commission Meeting. [ACTION]
5. Approval of the Consent Calendar [ACTION]
6. Taxicab Commission Announcements & Requests to Calendar Items

   A. Presentation of a Mayoral Proclamation to Commissioner Richard Wiener.
7. Staff Report
8. Hearing to Consider Request by Philip H. Welch IV, Amy L. Welch and the Estate of Georgette Welch to Have Their Names Placed on Permit Nos. 684, 685, 686, 687, 688, 689, 690, and 691 Formerly Held by Mrs. Georgette Welch, In Lieu of the Permits Being Returned to the City and County of San Francisco. [ACTION] (Continued from 11/26/02) **(NOTE: Memo from the Exec. Dir. and Philip Ward are available for the public upon request at the Taxi Commission Office. Due to the volume of documents, copies will not be made for hearing night.)**
9. Hearing and Possible Approval of a Clarifying Amendment to Municipal Police Code § 1135(a) related to the Airport surcharge. [ACTION]
10. Hearing and Approval of Taxi Commission Budget Fiscal-Year 2003-2004 Proposed Budget. [ACTION] (Memo from the Executive Director)
11. Hearing and Possible Suspension or Revocation of Permit No. 897 Held by James Neilly. [ACTION]
12. Adjournment.

Taxicab Commission Agenda
Regular Meeting
February 11, 2003 6:30 PM
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of Driver Public Vehicle permits to:

Joseph L. Aguirre	Jamal T. Alamari	Fernando N. Alberti	Edison C. Alves
William Appledorf	Bryan L. Burik	Gennadiy Buslovich	George S. Chau
Ka L. Cheung	Sam T. Dang	Aleksandr Dovbnya	Tobias B. Garrett
John J. Gillin	Doane T. Hall	Julius Ho	Taner N. Isa
Luciano Lacerda	Ronald H. Lim	Christopher Lin	Thong T. Ly
Harjinder S. Malhi	Talla Mbaye	Aung K. Moe	Jose A. Molina
Yasumichi Ono	Christine M. Palletier	Jorcelino M. Palmeira, Jr.	Douglas B. Perez
Igor Portnov	John N.C. Reyes	David G. Rhoades	Emerson Q. Rios
Anthony O. Shobayo	Salah M. Shurafa	Minjiu Sito	Oleg Solodilov
Melkamu A. Temtema	Marwan S. Totah	Randy D. Webb	Maung A. Win

B. Recommendation of the Police Taxicab Detail for approval of Taxicab Color Scheme changes to:

	Medallion Holder	Cab #	Change
1.	Olivo Dallagiacoma	720	Yellow Cab to DeSoto Cab
2.	Reynaldo Datlag	1048	Yellow Cab to Bay Cab
3.	David Johns	139	National Cab to B&W Checker
4.	Ahmed Kabo	9035	Luxor Cab to National Cab
5.	Ray Larkin	235	National Cab to Bay Cab
6.	Wallace Lau	9059	Town Taxi to Regents Cab

C. Recommendation of the Police Taxicab Detail for approval of a Taxicab Medallion Holder permit to:

Applicant	Medallion #	Color Scheme
Bernard Dethiers	66	Yellow Cab
Lincoln Vui Tran	312	Regents Cab

D. Recommendation of the Police Taxicab Detail for approval of a Ramped Taxicab Medallion Holder permit to:

Applicant	Medallion #	Color Scheme
Terry Chan	9014	Luxor Cab
Tin Myint U	9021	Regents Cab

NOTICE
This is not an agenda item for this meeting, but serves as a public notice.

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TAXICAB PERMIT HOLDER:
None

RAMPED TAXICAB PERMIT HOLDER:
Yezihlem K. Joba

NEW COLOR SCHEME: *None*

COLOR SCHEME CHANGES:

	Medallion Holder	Cab #	Change
1.	*Jay Craig Bouwman*	*1175*	*Veterans Cab to Royal Taxi*
2.	*Lloyd G. Small*	*801*	*National Cab to Metro Cab*

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers.

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CITY AND COUNTY OF
SAN FRANCISCO

TAXICAB COMMISSION
MAYOR WILLIE L. BROWN, JR.

LYNETTE SWEET, PRESIDENT
PAUL GILLESPIE, VICE PRESIDENT
PATRICIA BRESLIN, COMMISSIONER
ARTHUR M. JACKSON, COMMISSIONER
R. BOWMAN LEONG, COMMISSIONER
MARY McGUIRE, COMMISSIONER
MARTIN B. SMITH, COMMISSIONER

3
1/03

MINUTES

Commission Chambers – Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
February 11, 2003
6:30 PM

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Regular Meeting

PRESENT: Sweet; Gillespie; Breslin; Jackson; Leong; McGuire; Smith

ABSENT: None

PRESIDENT SWEET CALLED THE MEETING TO ORDER AT 6:43 PM

STAFF IN ATTENDANCE: Naomi Little, Executive Director - Taxicab Commission; Captain Thomas O'Neill, Lieutenant Jeanne Schlotz, Sergeant Vince Simpson, Inspector Farrell Suslow, Officer Cynthia Kulstad – Taxicab Detail

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL – The Roll Call showed a quorum was present.**

3. **PUBLIC COMMENT**

- **Jim Kennedy:** Attended the Transportation Authority meeting. The Transportation Authority has one (1) vacancy in their City Advisory Committee and he suggested someone from the Taxi Industry apply to be on that Committee. The Bicycle Coalition has received $1 million in grants from the Transportation Authority and the Taxi Industry hasn't received any funds. In the Lazar case, a decision was granted because of a clerical error. Would like to see a committee established to look into clerical errors.
- **Barry Taranto:** Limousines and shuttles have a relationship with hotel staff. Would like a resolution or proclamation prepared to the Public Utilities Commission to tighten up on the rules for limousines and shuttles. Suggested Commissioner Smith review the rules for being a City Commissioner. Recommended that Commissioner Smith should represent the taxi industry and the rights of cab drivers.
- **Peter Witt:** Overview of the Taxi Commission decisions. The Commission has failed its fiduciary duties.

4. **APPROVAL OF THE MINUTES FOR THE JANUARY 28, 2003 TAXICAB COMMISSION MEETING**

Commissioner Jackson moved the minutes be approved. Commissioner Gillespie seconded the motion.

AYES: Sweet, Gillespie, Breslin, Jackson, Leong, McGuire, Smith **NOES:** None

PUBLIC COMMENT:

- **Peter Witt:** Barry Taranto comments were incorrect in his statement thanking Commissioner Wiener for his help in getting taxi stands. Where are the taxi stands located? He would like transcripts of public comments instead of summaries.

5. APPROVAL OF THE CONSENT CALENDAR

Commissioner McGuire moved the approval of the Consent Calendar except 5B 3, 4, 5. Commissioner Gillespie seconded the motion.

AYES: Sweet, Gillespie, Breslin, Jackson, Leong, McGuire, Smith **NOES:** None

Commissioner Gillespie moved the approval of 5B 3, 4, 5 of the Consent Calendar. Commissioner Leong seconded the motion.

AYES: Sweet, Gillespie, Breslin, Jackson, Leong, Smith **RECUSED:** McGuire

6. TAXICAB COMMISSION ANNOUNCEMENTS & REQUEST TO CALENDAR ITEMS

Commissioner Sweet: Welcomed Commissioner Smith to the Taxi Commission. Presented proclamation to Commissioner Richie Wiener.
Commissioner Smith: Thanked Mayor Brown for appointing him to the Taxi Commission.
Commissioner Gillespie: Acknowledged Bernard Dethiers and Lincoln Vui Tran on becoming medallion permit holders.
Commissioner Leong: Welcomed Commissioner Smith. Suggested moving forward on requiring taxis to have debit/credit card capabilities.

PUBLIC COMMENT:

- **Peter Witt:** Reported to PUC about limousine needing to be regulated. He would appreciate if the Taxi Commission could read the letter he wrote about limousines.

7. STAFF REPORT

Naomi Little, Executive Director: The Board of Appeals upheld the Taxi Commission's decision for revocation of Permit #981 held by Vernon Liddell.

8. HEARING TO CONSIDER REQUEST BY PHILIP H. WELCH IV, AMY L. WELCH AND THE ESTATE OF GEORGETTE WELCH TO HAVE THEIR NAMES PLACED ON PERMIT NOS. 684, 685, 686, 687, 688, 690 AND 691 FORMERLY HELD BY MRS. GEORGETTE WELCH, IN LIEU OF THE PERMITS BEING RETURNED TO THE CITY AND COUNTY OF SAN FRANCISCO.

Philip S. Ward gave presentation on behalf of the Welch Estate.
Naomi M. Little gave presentation on behalf of the Taxi Commission.
Philip H. Welch spoke on his own behalf.
Inspector Farrell Suslow testified on his own behalf.

MOTION 1: Commissioner McGuire moved to deny the request of Philip H. Welch IV, Amy L. Welch and the Estate of Georgette Welch to have their names placed on permit nos. 684, 685, 686, 687, 688, 690 and 691. Commissioner Gillespie seconded the motion. MOTION FAILED 2-4

AYES: Gillespie, McGuire **NOES:** Sweet, Breslin, Jackson, Smith
RECUSED: Leong

MOTION 2: Commissioner Breslin moved the approval of adding the names of Philip H. Welch and Amy L. Welch to the permit held by Georgette Welch, Philip and Amy Welch shall pay retroactively the transfer fee on permit nos. 684, 685, 686, 687, 688, 689, 690 and 691 at today's value of a dollar. Commissioner Smith seconded the motion.

AYES: Sweet, Breslin, Jackson, Smith **NOES:** Gillespie, McGuire
RECUSED: Leong

PUBLIC COMMENT:

- **Mark Gruber:** Read commitment into evidence from memorandum from City Attorney's office to Supervisor Gavin Newsome regarding the Lazar case. The letter states "Proposition K barred all transfer of taxi permits including transfer of a pre Prop. K permit from a decease permit holder to a family member except only if an error was made in recording a transfer that was approved by the Police Commission". Recommended not to authorize adding any names on the permits held by Georgette Welch.
- **Jim Kennedy:** There is no such thing as a Pre Proposition K permit. Prop. K is clear in its statement that you cannot transfer or add names to the permits. In the Lazar case, Attorney Phil Ward stated that case had narrow circumstances not likely to be repeated, but six month later here we are again with the Welch case.
- **Barry Taranto:** Mr. Ward used the Lazar case as precedent in tonights hearing regarding the Welchs. Mrs. Georgette Welch was a wonderful individual for helping bring back Yellow Cab, but he believes Mrs. Welch's intent was for her permits to go to the next person on the medallion waiting list.
- **Peter Witt:** It is becoming a habit regarding the clerical errors. Why does it take so long to return the medallions to the City? Where is the money going? The money should go into the drivers fund because the money belongs to the working cab drivers.
- **Martin Kazinski:** Driving for 10 years and is on the medallion waiting list. He was hoping to receive one of the Welch medallions. Prop. K states the medallions should be returned back to the City.
- **Ruach Graffis, UTW:** Prop. J and K were presented to the voters in 1978. Prop. K had two main clauses (1) If a driver wanted a medallion they had to drive and pay their fee. When the drivers become unable to drive the medallion would be returned back to the City. The medallion would be issued to the next working cab driver on the waiting list. (2) No transferability.
- **Thomas George-Williams:** He was informed that Georgette Welch didn't believe in paying fees. If she didn't pay the fee then the medallions should be returned to the City. If he doesn't pay his fee then he can't drive a taxicab.
- **Yale Feder:** Driving for 20 years. The Welch's eight (8) medallions will go to inexperienced taxi drivers. The medallions should be issued to veteran cab drivers in the industry.
- **Ron Wolter:** The Commission should deny the request of the Welchs. It is clearly an illegal transfer. The floodgates were opened with the Lazar case. Who issued a permit in the name of a decease person?
- **Dominic Rodrigues:** The applicant who is number 1 on the medallion waiting list prays every night to received a medallion. Return the Welch permits back to the City.

9. HEARING AND POSSIBLE APPROVAL OF A CLARIFYING AMENDMENT TO MUNICIPAL POLICE CODE 1135(a) RELATED TO THE AIRPORT SURCHARGE.

Paul Zarefsky gave a presentation regarding the proposed amendment to Municipal Police Code 1135(a).

Commissioner Smith moved the approval of the amendment to Municipal Police Code §1135(a). Commissioner McGuire seconded the motion.

AYES: Sweet, Gillespie, Breslin, Jackson, Leong, McGuire, Smith **NOES:** None

10. HEARING AND APPROVAL OF TAXI COMMISSION BUDGET FISCAL YEAR 2003-2004 PROPOSED BUDGET.

Naomi Little gave a presentation of the 2003-2004 proposed Taxi Commission Budget.

Commissioner Jackson moved the approval of the Taxi Commission Budget. Commissioner Leong seconded the motion.

AYES: Sweet, Gillespie, Breslin, Jackson, Leong, McGuire, Smith **NOES:** None

11. HEARING AND POSSIBLE SUSPENSION OR REVOCATION OF PERMIT NO. 897 HELD BY JAMES NEILLY.

Commissioner Gillespie moved to continue the hearing for James Neilly until March 11, 2003.

Commissioner Leong seconded the motion.

AYES: Sweet, Gillespie, Breslin, Jackson, Leong, Smith **RECUSED:** McGuire

PUBLIC COMMENT:

- **Joseph Fleishman:** Not speaking on behalf of PDA. Would like the Commission to consider suspension instead of revocation the permit of James Neilly. Mr. Neilly is a long-term, veteran taxi driver and he states he will fulfill the full-time driving requirement in the future.

12. ADJOURNMENT

Commissioner Leong moved to adjourn at 10:10 p.m. Commissioner Smith seconded the motion.

Respectfully submitted,

Sonya Banks
Commissioner Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXICAB COMMISSION
MAYOR WILLIE L. BROWN JR.

3

5/03

LYNETTE SWEET, PRESIDENT
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MARY McGUIRE, COMMISSIONER
MARTIN SMITH, COMMISSIONER

NAOMI M. LITTLE, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

February 25, 2003 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

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1. Pledge of Allegiance
2. Roll Call
3. Public Comment (Please limit public comment to items not on the agenda)
4. Approval of the Minutes for the February 11, 2003 Taxicab Commission Meeting. [ACTION]
5. Approval of the Consent Calendar [ACTION]
6. Taxicab Commission Announcements & Requests to Calendar Items
7. Staff Report
8. Hearing and Possible Suspension or Revocation of Permit No. 1167 Held by John Arkeder. [ACTION]
9. Hearing and Possible Suspension or Revocation of Permit No. 1146 Held by John Skinner [ACTION]
10. Hearing and Possible Suspension or Revocation of Permit No. 1181 Held by Lando Siu [ACTION]
11. Hearing and Possible Approval of Summary Suspension of Driver of Public Passenger Vehicle for Hire Permit Held by Ishtiaq A. Bokhari, and Possible Suspension or Revocation of Permit No. 9004 Held by Ishtiaq A. Bokhari. [ACTION]
12. Approval of Findings Granting Request by Philip H. Welch IV, Amy L. Welch and the Estate of Georgette Welch. [ACTION]
13. Adjournment

Taxicab Commission Agenda
Regular Meeting
February 25, 2003 6:30 PM
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of Taxicab Color Scheme changes to:

	Medallion Holder	Cab #	Change
1.	Jay Craig Bouwman	1175	Veterans Cab to Royal Taxi
2.	Lloyd G. Small	801	National Cab to Metro Cab

B. Recommendation of the Police Taxicab Detail for approval of a Ramped Taxicab Medallion Holder permit to:

Applicant	Medallion #	Color Scheme
Yezihlem K. Joba	9015	Luxor

NOTICE
This is not an agenda item for this meeting, but serves as a public notice.

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the March 11, 2003 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER:
Mark Chan
Kai Wu
Wayne Baker

RAMPED TAXICAB PERMIT HOLDER:
None

NEW COLOR SCHEME: *None*

COLOR SCHEME CHANGES:

	Medallion Holder	Cab #	Change
1.	*Jay Bouwman*	*1175*	*Veterans Cab to Royal Taxi*
2.	*Rafiq Jan*	*1260*	*Yellow Cab to American Taxi*
3.	*Bipan Kumar*	*70*	*United Cab to B&W Checker Cab*
4.	*Gary Shukman*	*1294*	*DeSoto Cab to Metro Cab*
5.	*Lloyd Small*	*801*	*National Cab to Metro Cab*

DISPATCH SERVICE CHANGE:
Removal of partners Catalina Wong, Roger Cardenas, Keith Raskin, and Herman Trinidad from SF Taxi Dispatch Service Permit.

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers.

Copies of the commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm.

(Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

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MARY McGUIRE, COMMISSIONER
MARTIN B. SMITH, COMMISSIONER

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2/25/03

MINUTES

Commission Chambers – Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
February 25, 2003
6:30 PM

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Regular Meeting

PRESENT: Gillespie; Breslin; Jackson; Leong; McGuire; Smith

ABSENT: None

VICE PRESIDENT GILLESPIE CALLED THE MEETING TO ORDER AT 6:50 PM

STAFF IN ATTENDANCE: Naomi Little, Executive Director - Taxicab Commission; Lieutenant Jeanne Schlotz, Sergeant Vince Simpson, Inspector Farrell Suslow, Officer Cynthia Kulstad – Taxicab Detail

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL – The Roll Call showed a quorum was present.**

3. **PUBLIC COMMENT**

- **Barry Taranto:** Congratulated President Lynette Sweet on her appointment to the BART Board of Directors. He employs upon the Commissioner representing the hospitality industry not just to represent the management and employees of the hotels and restaurants but she also represent the people that patronize these establishments. Doormen direct customers to limousine and town cars instead to taxicabs. We would be happy to meet with her professionally to help solve this problem.
- **Bruce Oka, Chair of Ramp Taxi Working Group of Paratransit Council:** An important issue was raised at their meeting on 2/18/03 that ramp taxis are not getting enough participation in the ramp taxi program from the independent cab companies and the smaller cab companies. Drivers are leaving the big companies and going to the smaller companies where they are not force to adhere to the minimum pick-up. Would like to add stipulation for prospective ramp taxi drivers to be interviewed by qualified individuals to find out if the drivers are committed to driving a ramped taxi.
- **Laurie Graham, Yellow Ramp Taxi:** Believes Bruce is alluding to possibly having another layer added before receiving a ramp medallion. Suggested an interview process by the Paratransit Coordinating Council and a 6 months driving requirement added. The Taxi Commission to prepare an ordinance and submit to the Board of Supervisors to conduct interview process before a prospective ramp medallion holder attains their medallion. It will help the prospective ramp driver to understand the ramp program better and maybe they will be more involved with the program.
- **Tara Housman:** Muni bought 24 new ramped vans for use as taxicabs. Although, the medallion holders are responsible for complying with the regulation and for providing the service. But when it was time to lease the

vans, only cab companies were permitted to submit bids. No individual medallion holders were permitted to submit bids. Urged the Taxi Commission to look into this situation with Muni. Muni leased the extra vans to MV Transportation, which is not a taxicab company, but they do provide paratransit services for profit. Individual medallion holders should have been allowed to bid.

- **XXXX:** Thanked the Commission for moving up item 12 "finding for the estate of Georgette Welch". Echo Barry Taranto's comments regarding the limousines and hotel doorman problems. Appalled at how many limousines are parked in front of hotels blocking the taxicabs.
- **XXXX:** Limousine drivers pay the doormen $10.00 whereas the taxi driver only pays $1.00. He wants the Taxi Commission to prepare a letter to hotel lobby managers warning if any doorman is caught soliciting customers for limousine that legal action will be taken. Have already taken a test, medical exam and paid the application fee to receive his ramp taxi medallion. Does not want to repeat this procedure to receive a regular medallion. Only wants to pay the difference in medallion fees.
- **XXXX, Ramp Taxi Medallion # 9044:** He has 3 children to support and is a ramp taxi medallion holder. He paid $42,000 for his ramp taxi and received a letter stating it is time to changes vehicles again. He doesn't want to buy another ramp taxi. Suggested the cameras be installed in hotels to observe doormen activity not in the taxis.
- **Thomas George-Williams, UTW member:** Drivers drive empty cabs on empty streets. Suggested taking some cabs off the streets because there isn't enough customers. Experienced drivers are leaving the industry because they cannot make enough money.
- **XXXX:** The cab drivers are not represented at the Taxi Commission meeting, a large percent that attend the meeting are medallion holders. The medallion should be rotated every three years and distributed to other drivers. The medallion should not be kept for a lifetime.
- **XXXX:** The limousines need enforcement. As citizens, we should put the limousine drivers under citizens arrest. Suggested the Taxi Commission write a letter to the hotels stating that cab drivers have a right to place limousines drivers under citizens arrest if they do not cooperate with the rules.
- **XXXX:** Suggested obtaining signatures from the customers to make a new ballot for November 2003. Rethink and make new law for Prop. K. There are 5,000 drivers on the medallion waiting list.
- **MC Morris, 20 years driving:** Driving a taxicab is a very dangerous job. He did not place his name on the medallion waiting list. The medallion holder makes all the money and the drivers carry all the weight. Do not allow the Welchs to hold on to these medallions. They have never driven and have never put their lives on the line as cab drivers. The Commission is making a mockery of the law, which they are suppose to be upholding.
- **XXXX:** She usually doesn't go to the Hyatt Regency but business has been very slow. Limousine drivers are very bold. Observed limousine drivers negotiating with customers for their business in front of the taxi drivers.

Vice President Gillespie moved Item 12 to be heard next.

12. APPROVAL OF FINDINGS GRANTING REQUEST BY PHILIP H. WELCH, AMY L. WELCH AND THE ESTATE OF GEORGETTE WELCH.

Commissioner McGuire moved to continue the findings for Philip H. Welch IV, Amy L. Welch and the Estate of Georgette Welch. Commissioner Breslin seconded the motion.

AYES: Gillespie, Breslin, McGuire, Smith **NOES:** None
RECUSED: Jackson, Leong

PUBLIC COMMENT:

- **Berto Silva:** Prop. K is clear, you cannot transfer or sell medallions.
- **Barry Korengold:** In three minutes he cannot express what 20 years of cab driving has been like. Most of the drivers are not owners and have trouble paying their rent. He has been on the medallion waiting list for 11 years. If Georgette Welch did not want to pay the $1,000 transfer fee then the medallions should go to the next working cab driver. The Commission's decision would open the floodgates.
- **Paul Harting, In cab business for 32 years:** On the medallion waiting list for 10 years. The Taxi Commission's decision is clearly wrong and needs to be corrected. We need medallions for working cab drivers only.
- **Tara Housman:** She was shocked that the Taxi Commission made the decision despite the recommendation from their council and Executive Director. Cab drivers are defensive because of decisions that are made at the Commission meetings.
- **Thomas Budai:** Thanked the Commission for having a friendly and professional forum for the drivers to speak. Opposed to item #12 the Welch case. Driving a cab is more dangerous than being a police officer. It is

unfair to the working driver to see someone granted medallions that don't even drive.

- **Thomas George-Williams:** Asked every Yellow cab driver not to drive the Welch medallions. Asked the public not to request medallion # 684, 685, 686, 687, 688, 689, 690, and 691 when calling in.
- **Tariq Mehmood, Yellow Cab Driver:** Suggested doing a survey at the cab companies of how many drivers support transferring to their families? He believes most of them will say no. The medallions should not go to the Welch family but to the working cab drivers.
- **Barry Taranto:** When is the Commission going to agendize an item on the babysitting that goes on at night in the Castro district by the Muni inspector? When you become a Commissioner you become more of a public figure and your past comes to the light publicly. He has a journalism degree and other have similar investigative and research skills. Cab drivers can do research on Commissioners. Thanked the City Attorney and the Executive Director for their work on the Welch case.
- **Ron Wolter:** Protested the action taken by the Taxi Commission on the Welch case. Disagrees with the proposed findings except for #4 (When Proposition K was passed the following year, however, permits became non-transferable, and Ms. Welch's children could no longer inherit the permits) of the Welch case. Would like noted in the findings that Georgette Welch made a verbal request not a written request to add names. The vote on the Welch case should be voided.
- **George England, Luxor Cab:** Very important that the Welch case be continued because the vote is very slim with Commissioners Jackson and Leong recused. The Welch's family would not be interested in a medallion if they had to actually work for it. Prop. K is flawed. The medallions should go to the oldest more experienced drivers. A senior medallion waiting list should be established.
- **Ruach Graffis, Chair of United Taxicab Workers:** The voters of San Francisco voted for Prop. K in 1978, which did not allow for the transfer of medallions. Asked the Commissioners to abide by the vote of San Francisco voters. We do not need people that have nothing to do with the cab business, who are not driving cab, to continue to keep these medallions.
- **Mark Gruber:** Disgusted by the Commissioners decision on the Welch case. How can you sit in judgment of drivers for failure to obey the law when this Commission doesn't obey the law themselves? How did this Commission ignored their own City Attorney and Executive Director's advice? Are the findings legally sufficient to uphold this decision?
- **Golam Syed:** Received his medallion in 1999. He was working another job as a cook but received a warning that his waybills were short. He chose to drive his taxicab and gave up the other job. How could the Welchs hold onto their medallions? Believes the Welch case is a political issue. If the City provided money for the medallions, I would sell my house and buy medallions permanently for my children. Taxi drivers jeopardize their lives to make a living while the Welchs take vacations.

4. APPROVAL OF THE MINUTES FOR THE FEBRUARY 11, 2003 TAXICAB COMMISSION MEETING

Commissioner Gillespie moved to continue the adoption of the minutes until March 11, 2003. Correction needs to be made on item 8, the Welch case. Commissioner Breslin seconded the motion.

AYES: Gillespie, Breslin, Jackson, McGuire, Smith **NOES:**
RECUSED: Leong

PUBLIC COMMENT:

Ron Wolter: The Taxi Commission went against the suggestions of the City Attorney and the Executive Director in granting the request of Georgette Welchs family. He suggested changing the wording in the minutes to reflect whose name goes on what medallion. Wants the Commissioner's statements included in the minutes.

5. APPROVAL OF THE CONSENT CALENDAR

Commissioner Breslin moved the approval of 5A1 of the Consent Calendar. Commissioner Smith seconded the motion.

AYES: Gillespie, Breslin, Jackson, Leong, McGuire, Smith **NOES:** None

Commissioner Smith moved the approval of 5A2 of the Consent Calendar. Commissioner Leong seconded the motion.

AYES: Gillespie, Breslin, Leong, Smith **NOES:** None

RECUSED: Jackson, McGuire

Commissioner Leong moved the approval of 5B of the Consent Calendar 5B. Commissioner Smith seconded the motion.

AYES: Gillespie, Breslin, Jackson, Leong, McGuire, Smith **NOES:** None
RECUSED:

6. **TAXICAB COMMISSION ANNOUNCEMENTS & REQUEST TO CALENDAR ITEMS**

Commissioner McGuire: Cab drivers need to be trained on how the security cameras functions. Request a rehearing on the request of Philip H. Welch IV, Amy L. Welch and the Estate of Georgette Welch to have their names placed on permit # 684, 695, 686, 687, 688, 689, 690 and 691 formerly held by Georgette Welch in lieu of the permits being returned to the City. Requested the City Attorney give his opinion to the Commissioners on the legality of the Welch findings. Questioned how the Commission can charge a transfer fee when the transfer was illegal and is this based on what took place in 1977 or 1978? Do we need to create a new ordinance if we are creating a new fee?
Commissioner Leong: Why does Muni have someone on 18th and Castro Street writing tickets to taxicabs? Would like a update on the status of taxi stands.
Commissioner Smith: Would like to calendar managers driving requirement and to calendar the issue of vandalism of security camera by drivers.
Commissioner Gillespie: Requested a hearing on the manager exemption to the driving requirement. Reminded drivers of the CPR training held on March 15, 2003. Would like to schedule a hearing in April 2003 on the reduction level. Request to adjourn in memory of Ron Zammataro, Treasurer for Yellow Cab Co-op.
Commissioner Breslin: The City Attorney would not put forth the Welch findings if they were illegal. Would like to allow Commissioner Jackson the courtesy of speaking with his attorney to find out if there was a conflict of interest before rescheduling a hearing on the Welch case. In August 2002, the Taxi Commission invited all taxi drivers to notify the Executive Director if they observed any illegal activity at the hotels. We received no responses.
Commissioner Jackson: Discourages any drivers from taking action on their own about the limousines and hotel situation. Please allow the Commission the opportunity to retrofied the problem.

7. **STAFF REPORT**

Naomi Little, Executive Director: On March 15, 2003 the American Red Cross and the Taxi Commission is sponsoring free CPR training for all taxicab drivers. She is encouraging every taxicab drivers to take CPR training. You can pre-register with your company; we faxed the flyer over to all the color schemes. Encouraged all color schemes to help with registering all of their drivers.

Sergeant Vince Simpson, SFPD, Taxi Detail: Announced the retirement dinner for Lt. Bruce Lorin at the Elk Ballroom on March 8th. If interested in attending please contact the Taxi Detail.

8. **HEARING AND POSSIBLE SUSPENSION OR REVOCATION OF PERMIT NO. 1167 HELD BY JOHN ARKEDER.**

Inspector Farrell Suslow presented the case on behalf of SFPD, Taxi Detail.
John Arkeder spoke on his own behalf.
Sergeant Vince Simpson presented the rebuttal on behalf of SFPD, Taxi Detail.

Commissioner Smith moved the revocation of permit # 1167 held by John Arkeder. Commissioner Jackson seconded the motion.

AYES: Gillespie, Breslin, Jackson, Leong, Smith **NOES:** None
RECUSED: McGuire

PUBLIC COMMENT:

- **Barry Taranto:** Suggested a variety of disciplinary cases be heard and not all of the same nature at the same time. The police officers have a tuff job with the documentation on these cases.

9. **HEARING AND POSSIBLE SUSPENSION OR REVOCATION OF PERMIT NO. 1146 HELD BY JOHN SKINNER.**

Commissioner Leong moved to continue the hearing of permit # 1146 held by John Skinner. Commissioner Breslin seconded the motion. Adoption of the findings for John Skinner will be on March 11, 2003.

AYES: Gillespie, Breslin, Jackson, Leong, Smith **NOES:** None
RECUSED: McGuire

10. HEARING AND POSSIBLE SUSPENSION OR REVOCATION OF PERMIT NO. 1181 HELD BY LANDO SIU.

Sergeant Vince Simpson presented the case on behalf of SFPD, Taxi Detail.
Lando Siu spoke on his behalf.

Commissioner Leong moved for revocation of permit # 1181 held by Lando Siu. Commissioner Smith seconded the motion. Adoption of the findings for Lando Siu will be on March 11, 2003.

AYES: Gillespie, Breslin, Leong, Smith **NOES:** McGuire
RECUSED: Jackson

11. HEARING AND POSSIBLE APPROVAL OF SUMMARY SUSPENSION OF DRIVER OF PUBLIC PASSENGER VEHICLE FOR HIRE PERMIT HELD BY ISHTIAQ A. BOKHARI, AND POSSIBLE SUSPENSION OR REVOCATION OF PERMIT NO. 9004 HELD BY ISHTIAQ A. BOKHARI.

This item will be continued at the "call of the chair".

AYES: Gillespie, Breslin, Leong, McGuire, Smith **NOES:** None
RECUSED: Jackson

13. ADJOURNMENT

Commissioner Gillespie moved to adjourn at 9:55 p.m. in memory of Ron Zammataro.

Respectfully submitted,

Sonya Banks
Commissioner Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXICAB COMMISSION
MAYOR WILLIE L. BROWN JR.

PAUL GILLESPIE, VICE PRESIDENT
PATRICIA BRESLIN, COMMISSIONER
ARTHUR JACKSON, COMMISSIONER
R. BOWMAN LEONG, COMMISSIONER
MARY McGUIRE, COMMISSIONER
MARTIN SMITH, COMMISSIONER

NAOMI M. LITTLE, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

March 11, 2003 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

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1. Pledge of Allegiance
2. Roll Call
3. Public Comment (Please limit public comment to items not on the agenda)
4. Discussion and Possible Approval of the Election for a President and Vice President of the San Francisco Taxicab Commission. [ACTION]
5. Approval of the Minutes for the February 11, 2003 and February 25, 2003 Taxicab Commission Meeting. [ACTION]
6. Approval of the Consent Calendar [ACTION]
7. Taxicab Commission Announcements & Requests to Calendar Items
8. Staff Report
9. Hearing and Discussion of Proposition K Full-Time Driving Requirement Including Calculation of the Required Minimum [DISCUSSION]
10. Hearing and Possible Suspension or Revocation of Permit No. 897 Held by James Neilly (Continued from 2/11/03) [ACTION]
11. Hearing and Possible Approval of Summary Suspension of Driver of Public Passenger Vehicle for Hire Permit Held by Ishtiaq A. Bokhari, and Possible Suspension or Revocation of Permit No. 9004 Held by Ishtiaq A. Bokhari. [ACTION]
12. Hearing and Possible Approval of Summary Suspension of Driver of Public Passenger Vehicle for Hire Permit Held by John Chen. [ACTION]
13. Approval of Findings Recommending Revocation of Permit No. 1181 Held by Lando Siu. [ACTION] (Findings)
14. Adjournment

Taxicab Commission Agenda
Regular Meeting
March 11, 2003 6:30 PM
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of a Taxicab Medallion Holder permit to:

	Medallion Holder	Cab #	Color Scheme
1.	Mark Chan	763	Yellow Cab
2.	Kai Wu	156	Yellow Cab
3.	Wayne Baker	184	Yellow Cab

B. Recommendation of the Police Taxicab Detail for approval of Taxicab Color Scheme changes to, (Approval is conditional upon the applicants submitting insurance certification indicating appropriate coverage to operate under the new Color Scheme, notification to the Taxi Detail of the Specific Date of change and that such change be completed within twenty-one days of Commission Approval):

	Medallion Holder	Cab #	Change
1.	Rafiq Jan	1260	Yellow Cab to American Taxi
2.	Bipan Kumar	70	United Cab to B&W Checker Cab
3.	Gary Shukman	1294	DeSoto Cab to Metro Cab

C. Recommendation of the Police Taxicab Detail for Approval of Dispatch Service permit changes:

Removal of partners Catalina Wong, Roger Cardenas, Keith Raskin, and Herman Trinidad from SF Taxi Dispatch Service permit.

NOTICE

This is not an agenda item for this meeting, but serves as a public notice.

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the March 25, 2003 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER:
Bekele Alemayehu
Mohammad Noor

RAMPED TAXICAB PERMIT HOLDER:
None

NEW COLOR SCHEME: *None*

COLOR SCHEME CHANGES:

	Medallion Holder	Cab #	Change
1.	*Florante Asuncion*	*211*	*Yellow Cab to Bay Cab*
2.	*Dilargachew Belay*	*1045*	*Yellow Cab to American Cab*
3.	*James Canales*	*357*	*DeSoto Cab to Yellow Cab*
4.	*William Guthrie*	*875*	*Yellow Cab to Metro Cab*
5.	*James Mills*	*1182*	*Yellow Cab to Fog City Cab*
6.	*Lawrence Song*	*1084*	*Yellow Cab to Big Dog City*

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers.

Copies of the commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm.

(Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall, Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 234, by phone at (415) 554-7724, by fax at (415) 554-5163 or by e-mail at Donna_Hall@ci.sf.ca.us Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Donna Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

SAN FRANCISCO LOBBYIST ORDINANCE

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Admin. Code §16.520-16.534] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 1390 Market Street, Suite 701, San Francisco, CA 94102, telephone (415) 554-9510, fax (415) 703-0121 and web site http://www.ci.sf.ca.us/ethics/

WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67.A.1)*

CITY AND COUNTY OF
SAN FRANCISCO

TAXICAB COMMISSION
MAYOR WILLIE L. BROWN, JR.

ARTHUR M. JACKSON, PRESIDIENT
PAUL GILLESPIE, VICE PRESIDENT
JACK BARRY, COMMISSIONER
PATRICIA BRESLIN, COMMISSIONER
R. BOWMAN LEONG, COMMISSIONER
MARY McGUIRE, COMMISSIONER
MARTIN SMITH, COMMISSIONER

23
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11/03

MINUTES

Commission Chambers – Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
March 11, 2003
6:30 PM

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Regular Meeting

PRESENT: Gillespie; Barry; Breslin; Jackson; Leong; McGuire; Smith

ABSENT: Jackson arrived at 6:30 p.m. and left at 7:30 p.m.

VICE PRESIDENT GILLESPIE CALLED THE MEETING TO ORDER AT 6:40 PM

STAFF IN ATTENDANCE: Naomi Little, Executive Director - Taxicab Commission; Captain Thomas O'Neill, Sergeant Vince Simpson, Inspector Farrell Suslow, Officer Paul Makaveckas – Taxicab Detail

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL – The Roll Call showed a quorum was present.**

3. **PUBLIC COMMENT**

- **Robert Cesana:** Welcomed Commissioner Barry. He is hoping for a strong Commission to continue the good work that has been done in the past. Reminded the Commissioners their role is to support the taxi industry and the traveling public. Wants to know why San Francisco cabs cannot pick-up passenger at Oakland Airport but Oakland cabs can pick-up in San Francisco? Sometimes drivers refused fares that are going to Oakland because cabs cannot use the diamond lanes and there is too much traffic congestion. Suggested posting flyers/posters for drivers can receive upcoming events and announcements.
- **Barry Taranto:** Welcomed Commissioner Barry. Hope that Commissioner Barry will learn a lot about the cab industry, the "Bible" is Proposition K and Taxi Rules and Regulations. Informed medallion holders that they could buy back their plates from the gift shop located at City Hall. The airport has cut back taxi lot hours. As a result, the police are issuing tickets to taxis for blocking the roadway and parking in the bus zones. This is unfair because taxi drivers are forced to go the San Francisco Airport to pick up customers because the doormen at hotels are not giving taxi drivers the customers that are going to the airport. Discussed with Commissioner Leong the problem with Public Utilities Commission regarding pre-arranged transportation.
- **Ruach Graffis, United Taxicab Workers:** Wanted to talk about the issued Barry Taranto bought up at San Francisco Airport about the tickets taxi drivers are receiving because there is nowhere for drivers to park due to the reduction of taxi lot hours. It used to be the airport had "taxi starters" from 6:00 a.m. until 1:00 a.m. but because of budget constrains the airport has cut down the hours of operation for the taxi starters. There is nowhere for cab drivers to park, if the cab driver parks in a bus zone the police will issue tickets. The airport

doesn't have a sufficient budget to run the airport lots and it is unfair to cab drivers. Asked the Taxi Commission to work with the airport management and see if this problem would be remedy.

- **Barry Korengold, 20 years cab driver:** Reiterated about the limousines situation. Limousines are acting like taxis. If cab drivers rents a black town car, is it right to bypass the taxicabs rules? If the Welch's are allowed to hold on to the eight medallions without paying the transfer fee, cab drivers are hoping their health won't deteriorate while waiting decades on the medallion waiting list. If he did not pay his fees then his name would not be on the list.
- **Jim Gillespie:** He had informed the Commission of three people who passed away from DeSoto Cab Company. Medallion holder Frank Sulllivan, Jim Panther and Stan Delahanty.
- **Bruce Oka, Member of Paratransit Coordinating Council, Muni Citizen Advisory Council and the Chair of the Ramped Taxi Work Group:** Invited all the Commissioners to attend the Paratransit Coordinating Council Ramp Taxi Working Group meetings, which are held at the paratransit broker office. Personally invited Commissioner Jackson to attend their next meeting which is April 1, 2003. Drivers are struggling to earn a income.
- **George England, 22 years as a cab driver:** The intent of ramped taxis was to transport customers who could not take a regular taxi. He paid $98.00 in gate fees and wonder why is he required to subsidizes those shifts that supposedly have very little business. The work bank is a good idea, but it should apply to all cab drivers, not only medallion holders should be allowed to roll over their extra shifts.

4. DISCUSSION AND POSSIBLE APPROVAL OF THE ELECTION FOR A PRESIDENT AND VICE PRESIDENT OF THE SAN FRANCISCO TAXICAB COMMISSION.

Commissioner Breslin moved that Arthur M. Jackson as President. Commissioner Smith seconded the motion. Motion passes 5-2

AYES: Gillespie, Breslin, Jackson, Leong, Smith **ABSENT:**
NOES: Barry, McGuire

Commissioner Leong moved Paul Gillespie as Vice President. Commissioner Breslin seconded the motion. Motion passes 7-0

AYES: Gillespie, Barry, Breslin, Jackson, Leong, McGuire, Smith **ABSENT:**
NOES:

PUBLIC COMMENT:

- **Barry Taranto:** The Commission has a very difficult decision tonight with the elections. The decision should be based upon experience on the commission, knowledge of the laws, has nothing to hide and have a lot to offer this commission. Recommended Paul Gillespie to fill the vacancy for Presidency.
- **Barry Kornegold:** Echo Barry Taranto statements. He believes Paul Gillespie would make a great President. He feels Paul Gillespie is the only one qualified to be President. Paul Gillespie has integrity, objectivity, experienced in the industry, is a long time cab driver and is fair. Recommended Mary McGuire for Vice President because she has served longest on this Commission.
- **Tara Housman:** Feared the Taxi Commission will be used as a pond in the political arena. This Commission can be affective if Paul Gillespie is nominated for President. The leadership should reflect dealing with taxi issues. This is our chance to show if this is a serious Commission or a puppet?
- **James Nakamura, speaking on behalf of San Francisco Taxi Permit Holders and Drivers Association, as it's President:** Believes anyone of the Commissioners would make a great President. Permit Holders and Driver Association has endorses Paul Gillespie. Paul Gillespie is fair-minded and it's about time a taxi industry representative is President. This industry needs a driver voice chairing the Commission.
- **Johnson Akinbodunse, Yellow Cab Driver:** Strongly suggested the Commission elect Paul Gillespie because he knows the cab industry.
- **Mark Gruberg:** He has lost confident in the Taxi Commission for various reasons but especially over the Georgette Welch decision, which was a disgraceful decision. He recommends someone who has experience both in the industry and on the Commission. There are three new Commissioners on the taxi commission and believes none of them should be elected as President. It would be a slap in face if Paul Gillespie does not become President.
- **Bruce Oka:** Added support from the ramped taxis organization to elect Paul Gillespie for President of the Taxi Commission. Paul Gillespie has showed that he cares about every aspect of the taxi industry. Paul is not afraid to speak from the minority point of view. Agrees with Mark Gruberg statements.

5. **APPROVAL OF THE MINUTES FOR THE FEBUARY 11, 2003 AND FEBRUARY 25, 2003 TAXICAB COMMISSION MEETING.**

Commissioner Breslin moved the approval of 2/25/03 minutes. Commissioner Smith seconded the motion.

AYES: Gillespie, Barry, Breslin, Leong, McGuire, Smith **ABSENT:** Jackson
NOES:

Commissioner Breslin moved the approval of 2/11/03 minutes. Commissioner Smith seconded the motion.

AYES: Gillespie, Breslin, McGuire, Smith **ABSENT:** Jackson
NOES: **RECUSED:** Barry, Leong

6. **APPROVAL OF THE CONSENT CALENDAR**

Commissioner Leong moved the approval of the consent calendar. Commissioner Smith seconded the motion.

AYES: Gillespie, Barry, Breslin, Leong, McGuire, Smith **ABSENT:** Jackson
NOES: None

7. **TAXICAB COMMISSION ANNOUNCEMENTS & REQUEST TO CALENDAR ITEMS**

Commissioner Leong: Welcomed Commissioner Barry. Would like to encourage the Taxi Commission to draft a letter regarding the limousines to the California Public Utilities Commission to clarify what pre-arrangement transportation means and encourage the PUC to enforce their own rules. Suggested maybe to increase violation fees and permit suspensions or revocations on limousines. Suggested the Commission support the taxi drivers regarding the limousine problems.
Commissioner McGuire: Requested to calendar the status of the remanding corporate medallions issued as a result of the procedure outlined in Proposition K in 1978. The establishment of Commission policies regarding those corporate medallions in which it appear ownership has changed by more than 10 percent and these permit has not been returned to the City for reinsurance. Requested the Commission to prepare a report that includes: 1) the number of outstanding corporate medallions, 2) the names of individuals and entity holding these permits, 3) the permit numbers and color scheme where these medallions currently operate, 4) a list of shareholders furnished by the corporate entity as of June 1978, 5) list of current shareholders furnished by the corporate entity assigned to these permits, 6) a list of any deceased shareholders of these corporate entity and 7) list of stock transfer of any nature between June 1978 to present. Request the Commission to schedule a hearing on March 25, 2003 or April 8, 2003 to discuss the effect of reduced dispatched hours on taxicab services at San Francisco International Airport. We need to invite a representative from Landside Operations to discuss the reasoning behind the reduced hours and offer suggestions on how to deal with the problems created by this action. SFPD is issuing perhaps a dozen parking tickets to taxi drivers who are just trying to provide a service to the airport. Would like adjourn tonight hearing in memories of Frank Sullivan, James Panther and Stan Delahanty.
Commissioner Smith: There are companies who are working without workers compensation. It is unfair to companies that are working with workers compensation. There should be some ruling from the Taxi Commission stating that all the cab companies should carry workers compensation. There need to be some protection for drivers who become injured. Would like to discuss installing taxi zones for the Bart extension to San Francisco Airport. The limousines do not perform a better service than taxicabs. He drives everyday of the week and had witness limousines breaking rules. Welcomed Commissioner Barry.
Commissioner Breslin: Welcomed Commissioner Barry. Suggested adjournment in memory of the three drivers that passed away from DeSoto. Suggested adding to the Taxi Commission agenda the possibility of installing taxi zones at San Francisco Airport for the Bart extension. Executive Director Little, Sergeant Simpson and herself are in the process of arranging a meeting with the hotel management to resolve the issue regarding limousines and hotel staff.

8. **STAFF REPORT**

Naomi Little, Executive Director: 1) The taxi commission new email address is sftaxi.commission@sfgov.org. 2) The prior email address will no longer in service by the end of the week. I emailed Muni stet to the Muni Inspector at 18th and Castro. Apparently, Muni received quite a few complaints that the buses where causing traffic delays

because the buses were not pulling into the bus stop there at 18th and Castro. A Muni Inspector is out there to make sure that the buses had the ability to pull into the bus stop and not cause traffic problems. If there is more concerns with cab drivers, they need to let her know so I could continue my dialogue with Muni on the 18th and Castro intersection. 3) Still no word from the Department of Parking and Traffic on taxi stands. If we move ahead with taxi zone at Bart stations, I would suggest we get DPT here to explain the process. Because it's been a year since we started the process for the taxi stands. 4) March 15th is CPR training. After talking to American Red Cross the pre-register spot are all filled up at the Moscone Center. However, we are still encouraging taxicab drivers to show up because they are taking all walk-in at the Moscone Center on Saturday, March 15, 2003. CPR walk-ins will be at 9:00 am, 11:00 am and 1:30 pm and then they have Spanish classes at 9:00 am and 1:30 pm and Cantonese classes at 9:00 am and 1:30 pm. 5) The seriousness of destroying a security camera. You can be charged by the Taxicab Company that purchased the security camera up to $400.00 for replacing the lens. Security cameras are for the driver's protection. Security camera serves as a deterrent to crime, the camera only take still pictures, not videos, and they have no auditory capability. This is a reminder, only the police department will have access to the images only when there a violent crime committed against the driver or passenger. These security cameras protect the privacy of drivers and serves as a deterrent to any violent crime committed against the drivers and passengers. 6) Issued flyers of which companies can charge the $91.50 gate fee average and which companies that can charge the $85.00 average, and that's for driver information.

Paul Zarefsky, Deputy City Attorney: Thomas Owen will be the principal legal advisor for the Taxi Commission.

PUBLIC COMMENT:

- **Wayne Baker:** He has been driving a ramped taxi since the first ramped taxi was put on the road. He really regrets having to leave the ramped operation, its something that he really believes in. It is his understanding that the medallion that was awarded to him did not come from revocation case.
- **Jim Kennedy:** He believes the election held tonight was illegal. Commissioner Jackson has to recused himself from all votes on Yellow Cab until September 2003 and Luxor Cab until July 2003. That means as the chair he cannot agendize the Welch's permit, Yellow Cab permits, and Luxor permits. He wishes the vote could be re-voted.
- **Mark Gruberg:** Eleven companies mainly the larger companies are allowed to charge $91.50 because they are in compliance with the requirement. Those companies provided financial statement to the City. Twenty-two companies that are out of compliance need to be brought into compliance or further steps need to be taken.

Deputy City Attorney Paul Zarefsky requested through the chair to move Item 13 to be heard next.

13. APPROVAL OF FINDINGS RECOMMENDING REVOCATION OF PERMIT NO. 1181 HELD BY LANDO SIU

Paul Zarefsky, Deputy City Attorney presented the revised findings.

Commissioner Leong moved the approval of the findings for revocation on permit # 1181 held by Lando Siu. Commissioner Smith seconded the motion.

AYES: Gillespie, Barry, Breslin, Leong, McGuire, Smith **ABSENT:** Jackson
NOES: None

9. HEARING AND DISCUSSION OF PROPOSITION K FULL-TIME DRIVING REQUIREMENT INCLUDING CALCULATION OF THE REQUIRED MINIMUM

PUBLIC COMMENT:

- **George England, Luxor cab driver:** We need full-time working professionals in this industry. He would like to see medallions given to the most experienced drivers. This Commission needs to straighten out the flaws in Proposition K and start giving the medallion to working cab drivers. Full-time should mean full-time like in any other business.
- **David Kiley, Luxor Cab driving for 20 years #840:** He prefers to go back to hours instead of shifts for the full-time driving requirement. He is an experienced cab driver.
- **Jane Bolig, DeSoto Cab and on Board of Directors at DeSoto:** She had two proposals for the full-time driving requirements. 1) The Work Bank: Allowing permit holders to "bank" shifts. Example, all shifts worked in excess of the required 156 would be "rolled over" put into a deposit account. 2) Pro-Rata

Management Exemption for Prop. K. Example, A company with 125 permits would qualify for 390 (156+156+78) exempted shifts.

- **Robert Cesana:** The full-time driving requirement was started in 1978. After 18 years the City Attorney decided we should change the rules. As you get older it get harder to fulfill the driving requirement. Wanted to know from the City Attorney is he exempt when he served jury duty?
- **Anne McVeigh:** She is not sure if most of the decisions made by this Commission have any legal bases. The City Attorney made changes and made driving an essential eligibility requirement. Most of the decision made by the Commission has cost more money and worsen the working condition. San Francisco is losing a lot of jobs and workers. It is very expensive to live in San Francisco. There was a 20 year custom of driving 800 hours that freed up permit holders to allow non-owner operators to drive. Suggested pro-rating the Commission revocations.
- **Carl Macmurdo:** Hopefully this Commission will agendize and approve the hourly standards as an action item as soon as possible.
- **Joseph Fleischman:** During the first 20 years after Prop. K was passed the standard was 780 hours. After the drivers were switch to a shifts standard. The Mayor Task Force recommended an 800 hourly standards. The hourly standard is about better time management with same amount of working hours. Permit holders want an hourly standard for flexibility in the work place. In favor of hourly driving standard.
- **Richard Hybels:** He works 7 days a week. Concerned over one of his medallion holders who has worked for 25 years and is over 65 years old. Would like for him and other older drivers get the 800 hours standard. Would like to send medallion holders home and let the other drivers have a chance to make a living.
- **Jim Gillespie, General Manager DeSoto Cab:** Would like to echo Joseph Fleischman comments about flexibility. It would allow a lot more flexibility in scheduling drivers. Supports the 800 hours standards.
- **Johnson Akinbodunse, Yellow Cab driver:** The permit holders are asking for a better way to do business. It creates flexibility in the scheduling. It is better to look at 80 waybills verse 156 waybills when it is time to be audit.
- **Mark Gruberg:** He believes the decision of the 156 driving standard was non-sense. Suggested going back to the 185 shifts.
- **Dan Hinds, General Manager at National Cab:** He support the 800 hours and the "work bank" proposal. It creates flexibility for managers and medallion holders.
- **Michael Spain:** Read from his appellant court document which set the Standard of Review. "A statute must be given a reasonable and common sense interpretation consistent with the apparent purpose and intention of the lawmakers, practical rather than technical in nature, which upon application will result in wise policy rather than mischief or absurdity". In favor to adopt the hourly driving standards.
- **Abdul Rahimi, 49er Cab:** Suggested changing the shifts from 156 to 75 shifts a year. Would like medallion holders to drive on Monday and Tuesday only. Give the regular drivers an opportunity to work the good days like Friday nights.
- **Olivio, DeSoto Cab:** Just wanted to repeat other speaker statements. Driving standards would allow the non-medallion holders to get better shifts that are currently being taken by the medallion holders.
- **Ruach Graffis, United Taxicab Workers:** We have heard a lot about providing flexibility for permit holders. Is this really about providing a retirement plan for medallion holders? She believes if the shifts are reduced that the medallion holders will return next year for another reduction of shifts. For every long-term medallion holder there is a equally long-term non medallion holder who also needs retirement. This industry needs to provide retirement for everyone not only the few privileged drivers. She believes extend the current Prop. K 90-day exemption for permit holders who are temporarily unable to drive, but do not disregard the concept.
- **Jim Nakamura:** Does not see how any permit holders could retire on $20,000 a year. Every permit holders he knows drives even the older permit holders. Permit holders are the only ones being audited not the drivers. The Mayor Taxi Task Force recommended an hourly driving standard which make for simpler management. He believes that permit holders should be rewarded by giving them the flexibility of the shifts.
- **Austin James, cab driver for 23 years:** He waited 15 years for his permit and states that he did not wait that long to drive part time.

10. HEARING AND POSSIBLE SUSPENSION OR REVOATION OR PERMIT NO. 897 HELD BY JAMES NEILLY.

Inspector Farrell Suslow presented the case on behalf of SFPD, Taxi Detail.
Attorney Geoffrey Rotwein presented the case of behalf of James Neilly.
James Neilly spoke on his own behalf.
Sergeant Vince Simpson presented the rebuttal on behalf of SFPD, Taxi Detail.

Commissioner Smith moved to continue this item until April 22, 2003. Commissioner Barry seconded the

motion.

AYES: Gillespie, Barry, Breslin, Leong, McGuire, Smith **ABSENT:** Jackson
NOES: None

PUBLIC COMMENT:

- **Joseph Fleischman:** Suggested the Commissioners give Mr. Neilly a verbal reprimand or suspension. Mr. Neilly is a long time cab driver.
- **Dan Hinds, General Manager:** Mr. Neilly is now working toward fulfilling his driving requirements.
- **Abdul Rahimi, 49er Cab:** Suggested to the Commissioners give Mr. Neilly another chance.
- **George England:** Mr. Neilly has been in violation for three years. Suggested Mr. Neilly pay back the three years that he violated.
- **XXXX:** Mr. Neilly earned his medallion and should only receive a suspension.
- **Mark Gruberg:** Commented on Mr. Fleischman suggestions. It is a bad idea. This Taxi Commission has guidelines to follow and if it warrants revocations then that what this Commission has to do.

11. HEARING AND POSSIBLE APPROVAL OF SUMMARY SUSPENSION OF DRIVER OF PUBLIC PASSENGER VEHICLE FOR HIRE PERMIT HELD BY ISHTIAQ A. BOKARI, AND POSSIBLE SUSPENSION OR REVOCATION OF PERMIT NO. 9004 HELD BY ISHTIAQ A. BOKHARI.

Commissioner Leong moved this item be continued until March 25, 2003. Commissioner Barry seconded the motion.

AYES: Gillespie, Barry, Breslin, Leong, McGuire, Smith **ABSENT:** Jackson
NOES: None

12. HEARING AND POSSIBLE APPROVAL OF SUMMARYSUSPENSION OF DRIVER OF PUBLIC PASSENGER VEHICLE FOR HIRE PERMIT HELD BY JOHN CHEN.

Commissioner Leong moved this item be continued until March 25, 2003. Commissioner Smith seconded the motion.

AYES: Gillespie, Barry, Breslin, Leong, McGuire, Smith **ABSENT:** Jackson
NOES: None

14. Adjournment

In memory of Frank Sullivan, James Panther and Stan Delahanty.

Adjourn at 10:15 p.m.

Respectfully submitted,

Sonya Banks
Commission Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXICAB COMMISSION
MAYOR WILLIE L. BROWN JR.

ARTHUR M. JACKSON, PRESIDENT
PAUL GILLESPIE, VICE PRESIDENT
JACK BARRY, COMMISSIONER
PATRICIA BRESLIN, COMMISSIONER
R. BOWMAN LEONG, COMMISSIONER
MARY McGUIRE, COMMISSIONER
MARTIN SMITH, COMMISSIONER

NAOMI M. LITTLE, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

March 25, 2003 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

1. Pledge of Allegiance
2. Roll Call
3. Public Comment (Please limit public comment to items not on the agenda)
4. Approval of the Minutes for the March 11, 2003 Taxicab Commission Meeting. [ACTION]
5. Approval of the Consent Calendar [ACTION]
6. Taxicab Commission Announcements & Requests to Calendar Items
7. Staff Report
8. Hearing and Possible Approval of Summary Suspension of Driver of Public Passenger Vehicle for Hire Permit Held by Ishtiaq A. Bokhari, and Possible Suspension or Revocation of Permit No. 9004 Held by Ishtiaq A. Bokhari. (continued from 2/25/03 and 3/11/03) [ACTION]
9. Hearing and Possible Approval of Summary Suspension of Driver of Public Passenger Vehicle for Hire Permit Held by John Chen. (continued from 3/11/03) [ACTION]
10. Hearing and Discussion of Submitted July 1 – December 31, 2002 Taxicab Dispatch Reports. [DISCUSSION]
11. Adjournment

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Taxicab Commission Agenda
Regular Meeting
March 25, 2003 6:30 PM
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of a Driver Public Vehicle for Hire permit to:

Celestine C. Abiakam	Saifeldin Babiker	Solimar C. Bastos	Helio C. Cardoso
Thahinh Chann	San Y. Chin	Ramesh K. Dahal	Javed Ejaz
Aly A. Elghatit	Bruno T. Fontes	Jaime M. Franqvi	Anthony N. Gersich
Robert B. Han	Victor T. Idian	Rodney A. Johnson	Htan K. Khai
Abderrahman Khalid	Arun Kumari	Mohamed Lhaoui, II	Luis M. Linsdesousa
Volodymyr Logvinov	Sajjad A. Memon	Joshua M. Ndeke	An Nguyen
Andre L. Oliveira	Jose J. Oliveira	Devinder Pal	Lakhbir Pooni
Dan M. Poynor	Machhendra Rayamajhi	Thomas A. Salls	Ang N. Sherpa
Indra H. Soesanto	Bisrat Tesgaye	Carlos J. Vieira	Geoffrey A. White

B. Recommendation of the Police Taxicab Detail for approval of a Taxicab Medallion Holder permit to:

	Medallion Holder	Cab #	Color Scheme
1.	Bekele Alemayehu	1170	Yellow Cab
2.	Mohammad Noor	758	Luxor Cab

C. Recommendation of the Police Taxicab Detail for approval of Taxicab Color Scheme changes to, (Approval is conditional upon the applicants submitting insurance certification indicating appropriate coverage to operate under the new Color Scheme, notification to the Taxi Detail of the Specific Date of change and that such change be completed within twenty-one days of Commission Approval):

	Medallion Holder	Cab #	Change
1.	Florante Asuncion	211	Yellow Cab to Bay Cab
2.	Dilargachew Belay	1045	Yellow Cab to American Cab
3.	James Canales	357	DeSoto Cab to Yellow Cab
4.	William Guthrie	875	Yellow Cab to Metro Cab
5.	James Mills	1182	Yellow Cab to Fog City Cab
6.	Lawrence Song	1084	Yellow Cab to Big Dog City

D. Recommendation of the Police Taxicab Detail for approval of Ramp vehicle extensions to:

1.	Emad Shahadeh	9043	Luxor Cab
2.	Wallace Lau	9059	Regents Cab

NOTICE
This is not an agenda item for this meeting, but serves as a public notice.

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the April 8, 2003 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER:
Jose R. Bautista
Ali Dadgar
Frank Tognotti
Arthur Tse

RAMPED TAXICAB PERMIT HOLDER:
None

Taxicab Commission Agenda
Regular Meeting
March 25, 2003 6:30 PM
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

NEW COLOR SCHEME: *None*

COLOR SCHEME CHANGES:

	Medallion Holder	Cab #	Change
1.	*Thanh Ngoc Phan*	*1079*	*Yellow Cab to Regents Cab*
2.	*Robert Friedman*	*865*	*Veterans Cab to National Cab*

COLOR SCHEME TRANSFER
Black & White Checker Color Scheme Permit from Faqir Singh to Gratchia Makarian

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers.

Copies of the commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm.

(Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

Taxicab Commission Agenda
Regular Meeting
March 25, 2003 6:30 PM
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact Sonya Banks at (415) 554-3940, at least 72 hours prior to the meeting. Late requests will be honored if possible.

Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact Sonya Banks at (415) 554-3940, at least 72 hours prior to the meting. Late requests will be honored if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities may call Sonya Banks at (415) 554-3940 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90. For information about MUNI accessible services, call (415) 923-6142.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall, Administrator by mail to Sunshine Ordinance Task Force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 234, by phone at (415) 554-7724, by fax at (415) 554-5163 or by e-mail at Donna_Hall @ci.sf.ca.us
Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Donna Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

SAN FRANCISCO LOBBYIST ORDINANCE

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Admin. Code §16.520-16.534] register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102, telephone (415) 554-9510, fax (415) 703-0121 and web site http://www.ci.sf.ca.us/ethics/

WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1).*

CITY AND COUNTY OF
SAN FRANCISCO

TAXICAB COMMISSION
MAYOR WILLIE L. BROWN, JR.

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R. BOWMAN LEONG, COMMISSIONER
MARY McGUIRE, COMMISSIONER
MARTIN SMITH, COMMISSIONER

3
25/03

MINUTES

Commission Chambers – Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
March 25, 2003
6:30 PM

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Regular Meeting

PRESENT: Jackson; Gillespie; Barry; Breslin; McGuire; Smith

ABSENT: Leong

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:37 PM

STAFF IN ATTENDANCE: Naomi Little, Executive Director - Taxicab Commission; Lieutenant Jeanne Schlotz; Sergeant Vince Simpson, Inspector Farrell Suslow, Officer Paul Makaveckas – Taxicab Detail

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL – The Roll Call showed a quorum was present.**

Naomi Little, Executive Director requested Item 10 to be heard next.

10. **HEARING AND DISCUSSION OF SUBMITTED JULY 1 – DECEMBER 31, 2002 TAXICAB DISPATCH REPORTS.**

- **Edward Burke, Luxor Cab, Assistant Manager:** He wasn't clear on how to answer the questions with respect to the number of cabs servicing calls listed on the dispatch report. He accumulated the total number for the month and how many calls were answered for the month. He hopes this Commission will see the numbers are very realistic. If you divide by 30 and then in half you come up with their fleet size.
- **Barry Taranto:** He wants the Commission to look at the figures and decide whether the dispatch report needs further review. Suggested looking at Luxor's numbers and compare their numbers with Yellow Cab's. He thinks it is remarkable that a company with a little more than a third number of cabs than Yellow, has almost as many calls as Yellow. He is hoping the dispatch report is corrected by the next commission hearing so the Commissioners could look at dispatch services by cab comparison. It's great to see DeSoto and Luxor business consistent or increased even though business is down.

MOTION TO CONTINUE.

3. **PUBLIC COMMENT**

- **Arthur Lembke, Former member of the Board of Directors at Yellow Cab Company**: Would like the Commissioners to establish a new law that will benefit the riding public, taxicab companies and the taxi drivers of San Francisco to replace Proposition K. He is favor of changing the driving requirement from 156 shifts per year to 800 hours per year for management of Color Schemes. Post Prop. K permit holders should be allowed to retire with their permits after the age of 65.
- **Henry Kim, S.F. Taxi Association:** The San Francisco Taxi Association is in favor of changing the driving requirement from 156 shifts to 800 hours. There should be a management exemption for medallion owners that are working full-time at a Color Scheme. The "work bank" definition is "if you drive above and beyond the 156 shifts or 800 hours that should count towards your driving requirement for next year", he feels this is a good idea and needs to be further addressed. The San Francisco Taxi Association will come up with a proposal on management exemption for the next Commission hearing.
- **Barry Taranto:** Suggested having the Giants organization and the dispatch services inform the taxi drivers on where to pick-up customers during baseball season because the police will still be enforcing the 3rd Street drive away tickets. The San Francisco Airport Commission approved an extension of the compressed natural gas vehicles for four years front of the line privileges at the airport. He was informed by a cab driver that the Mark Hopkins Hotel has started their own private limousine service. Informed the Commission if any Commissioner had any dinner meeting with Philip Welch that it must be reported on their Statement of Economic Interest forms.
- **Barry Korengold, driving a cab for 20 years:** He had concerns over the election held at the last commission meeting. He believes the Sunshine Law was violated in the election process. He feels the Commission has a bias against cab drivers and that the cab drivers are not represented on the Taxi Commission. Everyone that spoke at the last hearing was in favor of Paul Gillespie as president of the Taxi Commission.
- **Jim Gillespie, General Manager, DeSoto Cab Company:** He received his A card in August 1969 and received his medallion in December 1998. He is in favor of the management exemption.
- **Jim Kennedy:** Upset with the election process. At the last commission hearing he filed a point of order. Asked the City Attorney what is the procedure for raising a point of order and does the industry have to except the election? He filed a formal complaint over the election because the presiding President has a conflict of interest. President Jackson cannot rule over any Yellow or Luxor Cab Companies issues. He wants his "point of order" to be investigated, was it legal?
- **Bruce Oka, Chair of the Ramped Taxi Work Group:** He would appreciate a response from Commissioner Jackson regarding his attendance at the next ramped taxi working group meeting.
- **Dan Hinds, General Manager, National Cab:** He has been with the taxi industry since 1978. He feels medallion holders have made a valuable commitment to the cab industry. Would like the Commission to seriously consider the managers exemption.

4. APPROVAL OF THE MINUTES FOR THE MARCH 11, 2003 TAXICAB COMMISSION MEETING.

Commissioner Breslin moved the approval of the minutes. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Smith **ABSENT:** Leong
NOES: None

5. APPROVAL OF THE CONSENT CALENDAR.

Commissioner Breslin moved the approval of the Consent Calendar except B2, which was severed. Commissioner Barry seconded the motion.

AYES: Gillespie, Barry, Breslin, McGuire, Smith **ABSENT:** Leong
NOES: None **RECUSED:** Jackson

Commissioner Breslin moved the approval of B2 of the Consent Calendar. Commissioner Smith seconded the motion.

AYES: Gillespie, Barry, Breslin, Smith **ABSENT:** Leong
NOES: None **RECUSED:** Jackson, McGuire

PUBLIC COMMENT

- **Jim Kennedy**: Informed the Commissioners, if a person received a contribution of more than $250, they

cannot vote for 12 months on items pertaining to the contributors.

Naomi Little, Executive Director requested Item 8 to be heard next.

8. HEARING AND POSSIBLE APPROVAL OF SUMMARY SUSPENSION OF DRIVER OF PUBLIC PASSENGER VEHICLE FOR HIRE PERMIT HELD BY ISHTIAQ A. BOKHARI, AND POSSIBLE SUSPENSION OR REVOCATION OF PERMIT NO. 9004 HELD BY ISHTIAQ A. BOKHARI.

Sergeant Vince Simpson presented the case on behalf of SFPD, Taxi Detail.
Ishtiaq A. Bokhari spoke on his own behalf.
Inspector Farrell Suslow presented the rebuttal on behalf of SFPD, Taxi Detail.

MOTION 1: Commissioner Breslin moved the approval for revocation of Driver Public Passenger Vehicle for Hire Permit and Ramp Taxi Permit # 9004 held by Ishtiaq A. Bokhari. Commissioner Smith seconded the motion. Motion Failed: 3-2

AYES: Barry, Breslin, Smith
NOES: Gillespie, McGuire
ABSENT: Leong
RECUSED: Jackson

MOTION 2: Commissioner Gillespie moved the approval to: 1) Suspended Ishtiaq Bokhari's ramp taxi permit for 3 years, 2) Reinstate his A card, 3) Required to attend anger management, woman sensitivity classes and provide proof of completion within 1 year and, 4) After successfully completing his 3 years probationary period, with no further complaints, the Taxi Commission will re-consider granting Ishtiaq Bokhari his suspended permit. Commissioner Barry seconded the motion. Motion Failed: 2-3

AYES: Gillespie, McGuire
NOES: Barry, Breslin, Smith
ABSENT: Leong
RECUSED: Jackson

MOTION 3: Commissioner Barry moved to continue deliberations until April 8, 2003 until Commissioner Leong could review the hearing videotape. Commissioner Breslin seconded the motion. Motion Passes: 4-1

AYES: Gillespie, Barry, Breslin, Smith,
NOES: McGuire
ABSENT: Leong
RECUSED: Jackson

6. TAXICAB COMMISSION ANNOUNCEMENTS & REQUEST TO CALENDAR ITEMS

Commissioner Barry: Would like to request at the Call of the Chair the opportunity for the Taxi Commission and taxi industry to work together on a joint declaration on the relationship with the City. He views the taxi industry as an extension to the eyes and ears of the City emergency services. Would like the taxi industry to be viewed not only as transportation needs of clients but also as the first call in emergency situations. Would like the Commission to look into creating a central dispatch system for taxicabs.
Commissioner Breslin: Sergeant Simpson, Executive Director Naomi Little and herself met with the President of the Hotel Council John Hutar and the Executive Director of the Hotel Council Bob Begley to discuss the situation of illegal limousines. Discussed educating the hotels on what constitute illegal activities for limousines. A letter will be drafted to discourage unlawful behavior and to educate what is unlawful behavior. The letter will be distributed to all the hotels with a follow up meeting with all general managers within two weeks. Commended those drivers who are keeping their demeanor during the protestor demonstrations.
Commissioner Smith: Suggested requiring all taxi companies to carry workers compensation. Big taxi companies are losing medallion holders because smaller companies don't charge a lot of money. Suggested putting a restriction on color schemes changes so a permit holder cannot change to a company that does not carry workers compensation. Would like to schedule further discussion on the manager exemption proposal. Would like to calendar a hearing to discuss digital dispatchers, suggested most companies do not need to hire four people, all they need are two people to input the information.
Commissioner Gillespie: Would like to calendar a hearing to review dispatchers on duty. It is a rule in the taxicab handbook that requires one dispatcher on duty for every 75 cabs. Asked the City Deputy Attorney what is the law if four Commissioners attend the Ramped Taxi Working Group meetings? Thanked the American Red Cross for providing free CPR training, but he was disappointed that more cab drivers did not participate. Requested to calendar a discussion on April 22, 2003, which is Earth Day, on how the City of San Francisco specifically the taxi industry,

can meet the goals of the City's, 20% reduction of carbon dioxide omission by the year 2010. He will do some work with the Department of Environment.

PUBLIC COMMENT

- **Barry Taranto:** Wanted to respond to Commissioner Breslin's comments. Appreciates her efforts to meet with hotel representatives and taxi staff. The hotels are relying on limousines to provide taxi services for their guest. The hotels are setting up contracts with the limousines and taking business away from taxicabs. The doormen at hotel are telling their guest that they can take limousines for the same price as a taxicab, but that is not true. Suggested to Commissioner Breslin to help promote taxi services.
- **Henry Kim:** Responded to Vice President Gillespie on low emission vehicles for Earth Day. Luxor will be the first to test three Ford Escape hybrid vehicles to be used as taxicabs. Will inform the Commission on how the vehicles work out.
- **XXXX:** He states if he was a doorman, he would give the customers to the limousines because the limousine drivers give the doorman $10.00 for every airport ride and the taxi drivers only give the doorman a $1.00.

7. STAFF REPORT

Naomi Little, Executive Director: 1) On March 18, 2003, Supervisor Newsom introduced legislation at the Board of Supervisor meeting that would abolish the Taxi Commission and transfer the Commission powers and duties to the Municipal Transportation Agency. There will be more hearings but the meetings have not been announced yet. I'm sure there will be a transition plan that Supervisor Newsom would discuss further if this action were to go forward. 2) This Thursday, March 27, 2003 at 2:00 p.m. the airport will hold a meeting to discuss the taxi starter hours at the domestic and international terminals, plus the increased numbers of tickets issued to drivers while moving around the horseshoe before the taxi starter hours. The meeting will be held in Terminal One, Conference Room A, Mezzanine level above Delta Airline.

9. HEARING AND POSSIBLE APPROVAL OF SUMMARY SUSPENSION OF DRIVER OF PUBLIC PASSENGER VEHICLE FOR HIRE PERMIT HELD BY JOHN CHEN.

Officer Paul Makaveckas presented the case on behalf of SFPD, Taxi Detail.
John Chen spoke on his own behalf.
Dan Hinds, General Manager, National Cabs spoke on behalf of John Chen.
Inspector Farrell Suslow presented the rebuttal for SFPD, Taxi Detail.

Commissioner Barry moved the approval of the suspension of Mr. John Chen until a qualified mental health person certifies that he or she has read the complaint against Mr. Chen and provides a written statement that Mr. John Chen is in a mentally stable condition to operate a motor-vehicle-for hire and is not a threat to the public safety. Commissioner Barry asked Dan Hinds, General Manager at National Cabs to assist Mr. Chen in obtaining written documentation from a qualified mental health physician. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, Smith, **ABSENT:** Leong
NOES: None **RECUSED:** McGuire

PUBLIC COMMENT:

- **Barry Taranto:** Commissioner McGuire does not need to recused herself because Mr. Chen is not a medallion holder, he only holds an A-card.
- **Dan Hinds, General Manager, National Cab:** Informed the Commission that Mr. Chen has had no previous complaints filed against his record. Would like the Commission to take into consideration his driving history as a cab driver.

10. ADJOURNMENT

Commissioner Gillespie moved to adjourn at 9:50 p.m.

Respectfully submitted,
Sonya Banks, Commission Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXICAB COMMISSION
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PAUL GILLESPIE, VICE PRESIDENT
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R. BOWMAN LEONG, COMMISSIONER
MARY McGUIRE, COMMISSIONER
MARTIN SMITH, COMMISSIONER

NAOMI M. LITTLE, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

April 8, 2003 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

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1. Pledge of Allegiance
2. Roll Call
3. Public Comment (Please limit public comment to items not on the agenda)
4. Approval of the Minutes for the March 25, 2003 Taxicab Commission Meeting. [ACTION]
5. Approval of the Consent Calendar [ACTION]
6. Taxicab Commission Announcements & Requests to Calendar Items
7. Staff Report
8. Presentation and Discussion by Schaller Consulting Regarding the Methodology of Collecting Service and Availability Taxicab Data in San Francisco [DISCUSSION]
9. Approval of a Resolution to the California Public Utilities Commission Opposing its Draft Order to Dismiss Rulemaking 02-08-002 Regarding Prearrangement of Charter-Party Transportation [ACTION] (RESOLUTION)
10. Deliberations and Findings of Driver of Public Passenger Vehicle for Hire Permit and Permit No. 9004 Held by Ishtiaq A. Bokhari [ACTION] (Continued from 2/25/03, 3/11/03 and 3/25/03) (PROPOSED FINDINGS)
11. Hearing and Possible Approval of Summary Suspension of Driver of Public Passenger Vehicle for Hire Permit Held by Ali F. Hzami [ACTION] (PROPOSED FINDINGS)
12. Adjournment

Taxicab Commission Agenda
Regular Meeting
April 8, 2003 6:30 PM
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of a Taxicab Medallion Holder permit to:

	Medallion Holder	Cab #	Color Scheme
1.	Jose R. Bautista	100	Luxor
2.	Ali Dadgar*	364	Luxor
3.	Frank Tognotti	585	Luxor
4.	Arthur Tse	586	Yellow

* Conditional Approval

B. Recommendation of the Police Taxicab Detail for approval of Taxicab Color Scheme changes to, (Approval is conditional upon the applicants submitting insurance certification indicating appropriate coverage to operate under the new Color Scheme, notification to the Taxi Detail of the Specific Date of change and that such change be completed within twenty-one days of Commission Approval):

	Medallion Holder	Cab #	Change
1.	Thanh Ngoc Phan	1079	Yellow Cab to Regents Cab
2.	Robert Friedman	865	Veterans Cab to National Cab

C. Recommendation of the Police Taxicab Detail for approval of Color Scheme Transfer of Black & White Checker Color Scheme Permit from Faqir Singh to Gratchia Makarian.

NOTICE

This is not an agenda item for this meeting, but serves as a public notice.

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the April 22, 2003 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER:
Abdulkerim Abdulrahman
Ronald Brothers
Hossein Khoshroozeh
Gary Maupin

RAMPED TAXICAB PERMIT HOLDER:
None

NEW COLOR SCHEME:
None

COLOR SCHEME CHANGES:

	Medallion Holder	Cab #	Change
1.	*Tse Kwan*	*410*	*Regents Cab to Bay Cab*
2.	*Roy McFall*	*360*	*Arrow Cab to American Cab*
3.	*Bhan Sandhu*	*1158*	*Yellow Cab to Fog City Cab*
4.	*Wing Wong*	*119*	*Yellow Cab to Bay Cab*

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CITY AND COUNTY OF
SAN FRANCISCO

TAXICAB COMMISSION
MAYOR WILLIE L. BROWN, JR.

ARTHUR M. JACKSON, PRESIDIENT
PAUL GILLESPIE, VICE PRESIDENT
JOHN BARRY, COMMISSIONER
PATRICIA BRESLIN, COMMISSIONER
R. BOWMAN LEONG, COMMISSIONER
MARY McGUIRE, COMMISSIONER
MARTIN SMITH, COMMISSIONER

23
2
18/03

MINUTES

Commission Chambers – Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
April 8, 2003
6:30 PM

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Regular Meeting

PRESENT: Jackson; Breslin; Gillespie; Barry; Leong; McGuire; Smith

ABSENT:

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:38 PM

STAFF IN ATTENDANCE: Naomi Little, Executive Director - Taxicab Commission; Captain Thomas O'Neill, Lieutenant Jeanne Schlotz; Sergeant Vince Simpson, Inspector Farrell Suslow, Officer Cynthia Kulstad – Taxicab Detail

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL – The Roll Call showed a quorum was present.**

3. **PUBLIC COMMENT**

- **Art:** He believes the industry was hurt by the recent taxicab accident. The driver of the cab was over 65 years old driving to fulfill the driving requirement. Prop. K has to be changed for both the taxi driver's benefit and for the riding public's safety.
- **Barry Taranto:** Yesterday was a monumental moment in the taxi industry history when the Hyatt Regency hotel and taxi drivers agreed that taxis should be able to make a right turn on a red light onto the property of the Hyatt Regency. Would like to look into the limousines and town cars problems in the future. Has concerns about Moscone Center West opening at the end of the summer. Department of Parking and Traffic wants to put a cab stand on 4th street between Mission and Howard Streets except between 4:00-6:00 p.m. He feels this is not a good idea to keep cabs away from Moscone Center between 4:00-6:00 p.m. He believes he was incorrectly stated in the Commission minutes for March 25th when he said if any Commissioner had dinner with Phillip Welch they must report it on their Statement of Economic Interest. He stated that he meant to say if any Commissioners had a meal with John Whitehurst they should report it on their Statement of Economic Interest. He also had concerns over the settlement agreement with Black & White Checker Cab Company.
- **Henry Kim, San Francisco Taxi Association:** Informed the Commission of his attendance at the TLPA Conference in Memphis. He was informed at the conference that a lot of taxi companies are having similar problems with insurance. He will be preparing a proposal suggesting adjusting the 3 year - 1 year as a spare rule for taxicabs, maybe the industry can use older vehicles to help save money. He agrees with "work bank" and management exemption proposal.

- **Barry Korengold:** He believes that a lot of decisions are made before the Commission meeting starts. The make-up of the Taxi Commission are non cab drivers mostly community representatives. But the decisions that are made affects the cab drivers. Cab drivers are members of the community. He feels the Commission is against cab drivers in most of the decisions.

4. APPROVAL OF THE MINUTES FOR THE MARCH 25, 2003 TAXICAB COMMISSION MEETING

Commissioner Gillespie moved the minutes be approved with the suggested clerical amendments made by fellow Commissioners. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Smith **RECUSED:** Leong
NOES: None

Executive Director Naomi Little requested item #8 to be heard next.

8. PRESENTATION AND DISCUSSION BY SCHALLER CONSULTING REGARDING THE METHODOLOGY OF COLLECTING SERVICE AND AVAILABILITY TAXICAB DATA IN SAN FRANCISCO.

Bruce Schaller of Schaller Consulting: Presented an overview of the methodology of collecting service and availability taxicab data in San Francisco.

5. APPROVAL OF THE CONSENT CALENDAR

Commissioner McGuire requested to have consent calendar items 5A2 and 5C severed.

Commissioner Gillespie moved the approval of **5B2** of the consent calendar. Commissioner Leong seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, Leong, Smith **RECUSED:** McGuire
NOES: None

Commissioner Leong moved the approval of **5A1, 3, 4** and **5B1**. Commissioner Breslin seconded the motion.

AYES: Gillespie, Barry, Breslin, Leong, McGuire, Smith **RECUSED:** Jackson
NOES: None

Commissioner McGuire moved **5A2** of the consent calendar to be continued until the next meeting to determine what type of standards we want to set for Mr. Dadgar regarding picking up ramped taxi orders. Commissioner Leong seconded the motion. Motion passes 6-0

AYES: Gillespie, Barry, Breslin, Leong, McGuire, Smith **RECUSED:** Jackson
NOES: None

Sergeant Vince Simpson presented the conditional approval for 5A2 of the consent calendar.
Ali Dadgar spoke on his own behalf.

PUBLIC COMMENT:

- **Bruce Oka, Chair of the Ramp Taxi Working Group and the Chair of Paratransit Coordination and Operation Committee of the PCC:** He feels it is ridiculous that Mr. Dadgar's medallion be conditionally approved. He agrees with Commissioner McGuire. Mr. Dadgar has shown no responsibility for the condition of his vehicle and his waybills. Has been trying to get Town Taxi out of the Ramp Taxi Program because of their safety record.
- **Barry Taranto:** Suggested not approving Mr. Ali Dadgar's request for a taxicab medallion. Mr. Dadgar has shown no commitment to the Ramp Taxi Program. This Commission has revoked other medallion permits for not fulfilling the full time driving requirement.
- **Art Lembke:** How can this Commission blame the taxicab driver for what the taxi company has done with the

misplacing a drivers waybills. He suggested following the recommendation of the conditional approval as stipulated by S.F.P.D. Taxi Detail.

- **George England, Luxor Cab:** He feels this is an example of why the ramped taxi program is not working the way it was intended. There are many ramped taxi medallions that are not driving ramped taxis. Ramp taxi has been allowed to circumvent the list to get a ramp permit. The ramp drivers should concentrate on taking care of ramped business, but they are performing like regular taxicabs.
- **Henry Kim, representing Luxor Cab:** Ramped taxis are one of the industry's major problems. Forcing drivers to pick-up ramped orders is difficult being the drivers are independent contractors. There are some great ramped taxi drivers at Luxor Cab. Anytime an order comes in, they go above and beyond to complete the ramp order request. He suggested that the ramped taxi drivers that are not fulfilling their duties not receive their medallions or get suspended. He cannot speak on what happened at Town Taxi but at Luxor, Mr. Dadgar is driving full time with no problems and picking up ramped orders.
- **Mark Gruber:** He wanted to know how many ramped orders has Mr. Dadgar picked up? Are there any records? How many people in wheelchairs has Mr. Dadgar transported? He feels these are important questions that need answers. He seconded Barry Taranto's suggestion that before Mr. Dadgar is granted any type of medallion that Mr. Dadgar be required to show for at least a year that he is complying with the annual driving requirement and that he is serving ramp passengers.

Commissioner Gillespie moved the approval of **5C** of the consent calendar. Commissioner Breslin seconded the motion. Motion passes 6-1

AYES: Jackson, Gillespie, Breslin, Leong, McGuire, Smith **RECUSED:**
NOES: Barry

PUBLIC COMMENT:

- **Barry Taranto:** Concerns over the settlement agreement between the Taxi Commission, Color Scheme Holder and the manager of Black & White Checker Cab. Why haven't the public viewed the documents before the hearing tonight? He believes the medallion holders at Black & White Checker did not have to prove they met the full time driving requirements. Suggested having the settlement agreement discussed by the Commissioners.

6. TAXICAB COMMISSION ANNOUNCEMENTS & REQUESTS TO CALENDAR ITEMS

Commissioner McGuire: Requested to calendar a closed session meeting to discuss the settlement agreement between the San Francisco Taxi Commission and Color Scheme Permit Holder Faqir Singh, Gratchia Makarian, Manager Black & White Check Cab. At the February 11th, 2003 Taxi Commission hearing, the Commission heard the request to transfer eight permits held by Georgette Welch to Phillip Welch and Amy Welch, this case needs to be resolved. Suggested agendizing for the next commission meeting on April 22, 2003.
Commissioner Barry: Would like to discuss at the next Commission hearing the waybills used by the taxicab companies. He suggested the Commission adopt a standard that would involved waybills being carbon copied and each driver be responsible for taking their carbon copied waybills home. Drivers should be held accountable for maintaining their own waybills.
Commissioner Leong: Would like to request, at the Call of the Chair, that the Commission staff dialogue with DPT regarding the issue with the new taxi stand at Moscone West, on the west side of 4th street, regarding the 4:00-6:00 p.m. tow away limitations. Would like to calendar a discussion on how to make out-of-town cabs aware of the Commission Rules and Regulations regarding not picking up passengers in the San Francisco or soliciting fares.
Commissioner Breslin: She gave a progress report regarding working with the hotels. She thanked Executive Director Naomi Little and Sergeant Vince Simpson for putting together the language the hotels can convey. Through the Hotel Council, letters will be going out directing the hotels regarding the white zones, the five minutes time limit and illegal actions associate with it. Also stressing how illegal it is to solicit passengers for limousines and emphasizing pre-arrangement has to be longer than a doorman calling out. She will hold another meeting after the letters has been distributed in its final format.
Commissioner Smith: Would like to request, at the Call of the Chair, a meeting to discuss workers comp. He feels it is unfair to the other business who can't compete with companies that don't have workers comp. The stands at Bart Stations, the outer 3rd, Richmond, Sunset, State College and Haight & Ashbury having taxi stands would help their businesses. Cab drivers are having problems with the taxi stands at Pier 39. The police want to have a natural flow through Pier 39 taxi stands. He agrees with Bowman Leong about the taxi stand at Moscone West. It should be located on Howard between 4th and 5th Streets, it will help with the flow of traffic.
Commissioner Gillespie: He agrees with Commissioner Jackson that there is a problem on 4th Street with the traffic

flow. He believes the solution would be to pick-up on Howard Street. He suggested writing a letter to DPT to clarify the situation before Moscone West opens. Commended Commissioner Breslin on her work with the hotels. Maybe one day there will be taxi stands at Haight & Ashbury and at the corner of Haight & Masonic Streets. It would be inappropriate to have more than three Commissioners attend a meeting. He also wanted to commend President Jackson for attending the ramp taxi meeting.

7. STAFF REPORT

Naomi Little, Executive Director: Welcomed Cynthia Kang to the Taxi Commission.

PUBLIC COMMENT:

- **Barry Taranto:** Informed the Commissioners of Naomi Little's membership into Interdepartmental Staff Committee on Traffic and Transportation. As a result, the taxi industry now has an input on stop signs, residential parking, right turns on red lights, closed streets and block parties.

9. APPROVAL OF A RESOLUTION TO THE CALIFORNIA PUBLIC UTILITIES COMMISSION OPPOSING ITS DRAFT ORDER TO DISMISS RULEMAKING 02-08-002 REGARDING PREARRANGMENT OF CHARTER-PARTY TRANSPORTATION.

Commissioner Breslin moved the approval of the Resolution to California Public Utilities Commission. Commissioner Snith seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, Leong, McGuire, Smith **RECUSED:**
NOES: None

PUBLIC COMMENT:

- **Barry Taranto:** Thanked Naomi Little for her hard work and hope that others will participate.

10. DELIBERATIONS AND FINDINGS OF DRIVER OF PUBLIC PASSENGER VEHICLE FOR HIRE PERMIT AND MEDALLION NO. 9004 HELD BY ISHTIAQ A. BOKHARI.

At the request of Mr. Bokhari's attorney this item is being continued.

AYES: Gillespie, Barry, Breslin, Leong, McGuire, Smith **RECUSED:** Jackson
NOES: None

11. HEARING AND POSSIBLE APPROVAL OF SUMMARY SUSPENSION OF DRIVER OF PUBLIC PASSENGER VEHICLE FOR HIRE PERMIT HELD BY ALI F. HZAMI.

Officer Cynthia Kulstad presented the case on behalf of SFPD, Taxi Detail.
Ali F. Hzami spoke on his own behalf.
Inspector Farrell Suslow presented the rebuttal on behalf of SFPD, Taxi Detail.

Commissioner Barry moved the approval of revocation of Driver Passenger Vehicle for Hire Permit held by Ali Hzami. Commissioner Smith seconded the motion. Motion passes 5-1

AYES: Gillespie, Barry, Breslin, Leong, Smith **RECUSED:** Jackson
NOES: McGuire

12. ADJOURNMENT

Commissioner Leong moved to adjourn at 9:38 p.m. Commissioner Smith seconded the motion.

Respectfully submitted,
Sonya Banks
Commission Secretary

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MARY McGUIRE, COMMISSIONER
MARTIN SMITH, COMMISSIONER

NAOMI M. LITTLE, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

April 22, 2003 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

04-21-03A 9:42

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1. Pledge of Allegiance
2. Roll Call
3. Approval of the Minutes for the April 8, 2003 Taxicab Commission Meeting. [ACTION]
4. Approval of the Consent Calendar [ACTION]
5. Taxicab Commission Announcements & Requests to Calendar Items
6. Staff Report
7. Hearing and Possible Approval of a Letter from the Executive Director to the California Public Utilities Commission Opposing the CPUC's Draft Order to Dismiss Rulemaking 02-08-002 Regarding Prearrangement of Charter-Party Transportation. [ACTION] (Letter from the Exec. Dir.)
8. Hearing and Discussion of Proposition K Full-Time Driving Requirement Including Calculation of the Required Minimum [DISCUSSION & POSSIBLE ACTION] (Continued from 3/11/03)
9. Hearing on Determination of a Commission Chairperson for the Purposes of All Matters Pertaining to the Request of by Philip H. Welch IV, Amy L. Welch and the Estate of Georgette Welch to Have Their Names Placed on Permit Nos. 684, 685, 686, 687, 688, 689, 690, and 691 Formerly Held by Mrs. Georgette Welch, In Lieu of the Permits Being Returned to the City and County of San Francisco. [ACTION]
10. Deliberations and Findings of Medallion Holder No. 897 Held by James Neilly [ACTION] (Continued from 2/11/03 and 3/11/03) (PROPOSED FINDINGS)
11. Approval of Findings Recommending Revocation of Permit No. 1181 Held by Ali F. Hzami [ACTION] (Continued from 4/8/03) (PROPOSED FINDINGS)
12. Public Comment (Please limit public comment to items not on the agenda)
13. Adjournment

Taxicab Commission Agenda
Regular Meeting
April 22, 2003 6:30 PM
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of a Driver of Public Vehicle for Hire permit to:

Carlos R. Adriao	Waldemir L. Alexandrinoneto	Malik J. Awan	Eliseu D. Azevedo
Yuri Barkov	Kenneth A. Boes	Amine B. Bouguecha	Sidding I. Bushara
Reinaldo Cardoso	Miriam M. Casey	James J. Coakley	Felipe S. Deabreu
Alex H. Elyades	Ilya Eydelshteyn	Roberto Farah	Jaime R. Feliciano
Fernanda Fernandes	Miguel J. Fernandez	Michael R. Hair	Soe Lin
Lenoir Lobo	Nimer S. Martha	Andrey E. Netboy	Eduardo M. Neto
Daoud M. Obaid	Dagmar Portes	Cristiano S. Rodrigues	Vasilios Romaidis
Humberto C. Sydio	Mark A. Stewart	Getahun M. Teklearegay	Gene Tsang
Francisco A. Uchoa	Mohamed S. Zaghari	Shuohua Zhen	

B. Recommendation of the Police Taxicab Detail for approval of a Taxicab Medallion Holder permit to:

	Medallion Holder	Cab #	Color Scheme
1.	Ali Dadgar*	364	Luxor
2.	Abdulkerim Abdulrahman	560	Yellow
3.	Ronald Brothers	349	Luxor
4.	Hossein Khoshroozeh	981	Luxor
5.	Gary Maupin	487	Yellow

* Continued from 04/08/03 hearing.

C. Recommendation of the Police Taxicab Detail for approval of Taxicab Color Scheme changes to, (Approval is conditional upon the applicants submitting insurance certification indicating appropriate coverage to operate under the new Color Scheme, notification to the Taxi Detail of the Specific Date of change and that such change be completed within twenty-one days of Commission Approval):

	Medallion Holder	Cab #	Change
1.	Tse Kwan	410	Regents Cab to Bay Cab
2.	Roy McFall	360	Arrow Cab to American Cab
3.	Bhan Sandhu	1158	Yellow Cab to Fog City Cab
4.	Wing Wong	119	Yellow Cab to Bay Cab

D. Recommendation of the Police Taxicab Detail to restore Spanky Woods to the appropriate position on the taxicab waiting list.

NOTICE

This is not an agenda item for this meeting, but serves as a public notice.

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the May 13, 2003 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER:
None

RAMPED TAXICAB PERMIT HOLDER:
None

COLOR SCHEME CHANGES:

	Medallion Holder	Cab #	Change
1.	*Yossedek Desta*	*850*	*B&W Checker to Luxor Cab*
2.	*Juri Malkin*	*612*	*United Cab to Luxor Cab*
3.	*Louis Peppars*	*337*	*National Cab to Luxor Cab*

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MARTIN SMITH, COMMISSIONER

23
2
12/2/03

MINUTES

Commission Chambers – Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
April 22, 2003
6:30 PM

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Regular Meeting

PRESENT: Gillespie; Barry; Breslin; Leong; McGuire; Smith

ABSENT: Jackson

VICE PRESIDENT GILLESPIE CALLED THE MEETING TO ORDER AT 6:45 PM

STAFF IN ATTENDANCE: Naomi Little, Executive Director - Taxicab Commission; Captain Thomas O'Neill, Lieutenant Jeanne Schlotz, Sergeant Vince Simpson, Inspector Farrell Suslow – Taxicab Detail

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL – The Roll Call showed a quorum was present.**

Vice President Gillespie requested item 12 to be heard next.

12. **PUBLIC COMMENT**

- **Barry Taranto:** Restrictions are being placed on taxicabs at Pier 39. He would like to see more parking spaces made available for better taxicab services at Pier 39.
- **Mark Gruberg**: Disagrees with public comment being placed at the end of the agenda. He suggested moving public comments back up on the agenda so drivers will be able to come and make public comments.

3. **APPROVAL OF THE MINUTES FOR THE APRIL 8, 2003 TAXICAB COMMISSION MEETING.**

Commissioner Smith moved the minutes be approved. Commissioner Leong seconded the motion.

AYES: Gillespie, Barry, Breslin, Leong, McGuire, Smith **ABSENT:** Jackson
NOES: None

4. APPROVAL OF THE CONSENT CALENDAR.

Commissioner Breslin moved to elect Commissioner Smith to chair items 4B2, 5 and C3, 4. Commissioner Barry seconded the motion.

4A Commissioner Smith moved to approve the Consent Calendar item **4A** Driver Public Passenger Vehicle. Commissioner Leong seconded the motion.

AYES: Gillespie, Barry, Breslin, Leong, McGuire, Smith **ABSENT:** Jackson
NOES: None

4B3,4 Commissioner Leong moved to approve the Consent Calendar items **4B3, 4** Taxicab Medallion Holder permit. Commissioner Barry seconded the motion.

AYES: Gillespie, Barry, Breslin, Leong, McGuire, Smith **ABSENT:** Jackson
NOES: None

4B1 **Motion 1:** Commissioner Smith moved the approval of Consent Calendar item **4B1** Taxicab Medallion permit to Mr. Ali Dadger providing Mr. Dadgar follows the conditional approval as recommended by Taxi Detail. Commissioner Barry seconded the motion. Motion failed 3-3

AYES: Barry, Breslin, Smith **ABSENT:** Jackson
NOES: Leong, Gillespie, McGuire

Motion 2: Commissioner McGuire moved the approval with the condition that Mr. Dadgar be granted a medallion upon completing 156 shifts beginning October 2002 when he began his shifts a Luxor and provides proof of picking up three ramp orders per week staring April 23, 2003. Commissioner Barry seconded the motion. Motion failed 3-3

AYES: Gillespie, Leong, McGuire **ABSENT:** Jackson
NOES: Barry, Breslin, Smith

Motion 3: Commissioner Smith moved the approval of **4B1** with Taxi Detail's recommendation of conditional approval that Mr. Dadgar be placed on probation for two (2) years and that he submit copies of complete waybills on a monthly basis to the Taxicab Detail. If Mr. Dadgar fails to drive full-time, he will be immediately subject to a revocation hearing instead of the Commission's progressive disciplinary procedures. Commissioner Barry seconded the motion. Motion passes 4-2

AYES: Gillespie, Barry, Breslin, Smith **ABSENT:** Jackson
NOES: Leong, McGuire

PUBLIC COMMENT

- **Henry Kim, Luxor Cab:** Mr. Ali Dadgar has been a good ramp driver at Luxor. Recommended accepting the opinion of Taxi Detail for conditional approval.
- **Robert Cesana:** Wanted to know if the Commission was adopting the 800 hours driving requirement. Because Mr. Dadgar would have completed 800 hours. Suggested suspending the ruling Mr. Dadgar until a decision can be made about the 800 hours.

4C, 2 Commissioner Smith moved the approval of the Color Scheme changes on items **4C1, 2** on the consent calendar. Commissioner Leong seconded the motion.

AYES: Gillespie, Barry, Breslin, Leong, McGuire, Smith **ABSENT:** Jackson
NOES: None

4D Commissioner Smith moved the approval of consent calendar item **4D** to restore Spanky Woods to the appropriate position on the taxicab waiting list.. Commissioner Barry seconded the motion.

AYES: Gillespie, Barry, Breslin, Leong, McGuire, Smith **ABSENT:** Jackson
NOES: None

Inspector Farrell Suslow spoke on behalf of Spanky Woods.

4B2, 5 – 4C3, 4 Commissioner Barry moved the approval of Taxicab Medallion Holder permits to **4B2, 5** and Taxicab Color Scheme Changes to **4C3, 4** on the consent calendar. Commissioner Leong seconded the motion.

AYES: Barry, Breslin, Leong, McGuire, Smith
NOES: None
ABSENT: Jackson
RECUSED: Gillespie

5. TAXICAB COMMISSION ANNOUNCEMENTS & REQUESTS TO CALENDAR ITEMS

Commissioner Smith: Requested at the "Call of the Chair" to investigate the bookkeeping of cab companies. Suggested calendaring a hearing to discuss companies transferring from a company that doesn't have workers compensation to companies that carries workers compensation to lower their funding.
Commissioner Leong: He echoed Commissioner Smith's comments regarding holding the color scheme accountable for better record keeping.
Commissioner Breslin: Thanked Executive Director Little for working on the letter to the CPUC regarding limousines. The language used in this letter will be a good middle point for the hotel and cab driver's needs in regulating the limousine industry.
Commissioner McGuire: Would like to adjourn in memory of two long-time cab drivers, Louis Ladow and Richmond Loewinsohn, who were both activist in the industry. Asked cab drivers to respect the taxicab stand at Pac Bell Park.
Commissioner Barry: Met with Francis Fitzgerald of Australia who gave a presentation on computerized digital dispatch system.
Commissioner Gillespie: Joined Commissioner McGuire in remembering Richmond Loewinsohn and Louis Ladow and adjourning in their memory.

6. STAFF REPORT

Naomi Little, Executive Director: At the Board of Supervisor Budget Committee, Supervisor Newsom's legislation to consolidate the Taxi Commission under MTA has expired under the 30 day rule. As of now, Supervisor Newsom has no plans to move forward on the legislation. Spoke with Alfonzo Felder with the Giants and we will be getting signage up on the scoreboard and she contacted the Chronicle to get an article with the Giant's sport writer about where to locate taxicabs.
Sergeant Simpson, Taxi Detail: The Taxi Detail has received numerous complaint regarding the traffic and activity of taxicabs around Pac Bell Park after the games. Officer Paul Makaveckas and Naomi Little conducted an enforcement operation at the taxicab stands. They observed problems such as taxicabs stopping along King and 3rd Streets either picking up fares or parking, which blocks traffic, and making illegal U-Turns on 2nd or Townsend Streets. After meeting with DPT, effective April 29, 2003, taxicabs shall stage at the new taxi stand located on 2nd Street just North of the "Right turn only" lane. Once the cab stand fills, double parking will be allowed on the west side of 2nd Street North to Brannan Street. Taxicabs may not be left unattended. U-turns on both 2nd Street and Townsend Street are strictly prohibited. Taxicabs may not stop or pick up fares on King Street or on 3rd Street at anytime! Violators will be subject to citations and administrative disciplinary action. All vehicles, including taxicabs are prohibited from turning on Townsend Street from 3rd Street. Procedures for pre-game and post game wheelchair accessible vans are unchanged. Vans may drop off Eastbound Embarcadero at 2nd Street inside the player's gate driveway. Vans will be allowed to stage from the 6th inning to 45 minutes after the game, (when King Street opens). Up to four ramped taxicabs may line up on Embarcadero at the pick up staging area. Vans shall not block or enter the driveway after the game.
Cynthia Kang, Auditor: Department of Parking & Traffic is planning to place a taxi stand on Fourth Street between Minna and Howard Streets for the opening of Moscone West. Between 4 pm–6 pm the taxi stand will become a "no stopping zone". The hours between 4pm-6 pm is when convention goers need taxicabs most. 4th street is known for enormous traffic congestion during 4-6pm due to commuters trying to get onto the freeway. Because of this inconvenience we have made an inquiry to DPT and Convention Facility Management team to move the taxi stand to Howard Street between 4-6pm. Unfortunately, DPT is unable to fulfill the request because the two (2) far right lanes on Howard Street become Right Turn Only during 4-6pm so it would be impossible. Also, they have tour buses that go in and out of the Drop-Off Zone and they need a 300 ft. radius to do so. We will continue to work with DPT to hopefully resolve this situation.

PUBLIC COMMENT

- **Norma Geer, Yellow Ramp Cab Driver:** She rarely goes to Pac Bell Park after receiving a ticket. Some people do not want to walk over to 2nd street to be picked up at the taxi stand. Would like to see Parking Control Officers controlling the traffic flow after the games.
- **Barry Taranto:** He suggested the Commission try to convince DPT to eliminate the tow away lanes for the cabs between 4-6 p.m. He feels it is wonderful that the Giants are having cab service. Suggested having the taxi stand go down to MoMo's Restaurant at the end of the games or close 2nd Street from Townsend between King (southbound) so some cabs can double park. Suggest the Commission do a resolution to the Giants informing the fans of the location of where to pick up taxicabs.
- **Mark Gruberg:** Informed the Commission of the Board of Appeals hearing on 4/23/03 regarding the Public Convenience and Necessity. Would like to see this Commission get involved in the planning process of the City.

7. **HEARING AND POSSIBLE APPROVAL OF A LETTER FROM THE EXECUTIVE DIRECTOR TO THE CALIFORNIA PUBLIC UTILITIES COMMISSION OPPOSING THE CPUC'S DRAFT ORDER TO DISMISS RULEMAKING 02-08-002 REGARDING PREARRANGEMENT OF CHARTER-PARTY TRANSPORTATION.**

Commissioner Smith moved the approval of the letter to CPUC dismissing rulemaking 02-08-002. Commissioner Leong seconded the motion.

AYES: Gillespie, Barry, Breslin, Leong, McGuire, Smith **ABSENT:** Jackson
NOES: None

PUBLIC COMMENT

- **Barry Korengold:** Thanked the Commission and Naomi Little for addressing the issues of prearrangement. He believes that most limousines drivers are cab drivers who got their taxi permit revoke.
- **Robert Cesana:** Congratulated Naomi Little on her initiative letter to CPUC. But, the letter by itself isn't going to do anything. Suggested lobbying all the representatives of the State to take action regarding the limousines.

8. **HEARING AND DISCUSSION OF PROPOSITION K FULL-TIME DRIVING REQUIRMENT INCLUDING CALCULATION OF THE REQUIRED MINIMUM.**

MOTION 1 Commissioner Smith moved the approval of the 800 hours driving requirement and the work bank proposal. Commissioner Barry seconded the motion. Motion fails 5-1

AYES: Smith **ABSENT:** Jackson
NOES: Barry, Breslin, Leong, McGuire, Gillespie

MOTION 2 Commissioner Barry moved to continue item 8 until the next meeting. Commissioner Smith seconded the motion. Commissioner Breslin moved to amend the motion that if any Commissioner cannot attend the next meeting that the Taxi Commission will submit their recommendations to Executive Director Little. Motion passes 6-0

AYES: Gillespie, Barry, Breslin, Leong, McGuire, Smith **ABSENT:** Jackson
NOES:

PUBLIC COMMENT

- **Barry Korengold:** In favor of the 800 hours because it will provide for more flexibility to the drivers. He also likes the idea of being able to bank hours as suggested in the "work bank". Suggested having some accommodation for drivers who have put 20 years in the taxi industry.
- **Robert Cesana:** Would like to have the 800 hours with no strings attached as conceived by the Police Commission over 25 years ago. He warned the Taxi Commissioners and City Attorney to not push it because if it goes to the voters then Proposition K will probably be destroyed.

- **Joseph Fleischman:** Suggest having the confidential memo written by Tom Owen, City Attorney, disclosed and distributed to the public. The Taxi Commission can request the Board of Supervisors to adopt an hourly driving standard. Please consider 800 hours per year with 100 hours per quarter. It should be enough to satisfy a continuous operation standard.
- **Howard David Leeder, Medallion # 9041, Yellow Cab:** Driving for 15 years and he is in his 5th year as a ramped medallion holder. Most cab drivers like to control their own time and hours. There are not a lot of benefits for cab drivers. The one thing we have control over is our time.
- **Johnson Akinboaunse, Yellow Cab:** He strongly advised the Commissioner to approve the 800 hours driving requirement. But he does not understand why it has to go to the Board of Supervisors. The 800 hours will make it more flexible for managers to schedule drivers. Suggested having the confidential letter non-confidential and discussed by all that it concerns.
- **Mark Gruberg:** Would like to see the opinion of the City Attorney. He believes that if this Commission decided to go to an hourly standard it should be as an alternative to the shift standard. He feels the shift standard should not be 156 shifts but 185 shifts. Because 156 shifts were just thrown in based on the notion there were 4 days in a business week. Would like to Commission to abandon the 156 shifts and adopt the 185 shifts as the alternative. He does not believe the 800 hours is sufficient. The 800 hours means drivers would drive 80 shifts which means drivers will work 80 days a year, that would means drivers would have a two day a week job and you can take 12 weeks of the year off from driving. The shift requirement is now at 156 if the Commission turns the shifts into the 800 hours on a 10 hours shift you will be cutting the shift requirement in half. Drivers are only required to drive 624 hours a year and 12 hours a week will meet this requirement. He thinks on the 156 shifts based the requirements should be somewhere between 900 and 1000 hours. And if you go to the 185 shifts based the requirements should be somewhere between 1100 and 1200 hours.
- **Norma Geer, Yellow Ramp, #9048:** She is close to receiving her medallion. There is no security for cab drivers. The additional cabs that were added onto the streets makes driving very stressful.
- **Tony Fletcher:** He wanted the memo from the City Attorney before attending the meeting tonight. Medallion holders would like to have the hourly standard because it gives more flexibility to meet the work requirement. The hourly standard is a more efficient system. Suggested recommending the 800 hours.
- **Henry Kim:** Suggested making a comprehensive measure that addresses many problems of Proposition K before going to the voters.
- **Anne McVeigh:** The Commission is not limited by the recommendations of the Deputy City Attorney. Disagrees with Mark Gruberg's statement regarding cab drivers driving 4 days. San Francisco is an expensive city and drivers cannot afford to live driving two days a week. Would like the Commission to approve the 800 hours and the work bank.
- **Olivo Dallagiacoma, DeSoto Cab:** From 1981 to 1996 there wasn't a driving requirement. Would like the Commission to adopt the annual hourly standard. By adopting the hourly standard it would allow medallion holders the freedom to give the best shifts to the drivers.
- **George England, Luxor Cab:** Does anyone really know the intent of Proposition K? He feels the intent was to have full time working cab drivers. A lot of drivers are working 12 hours a day to barely make minimum wage. Henry Kim has a good idea regarding addressing all the flaws of Proposition K.
- **Yossedek Desta:** He spoke with Senator Kopp and the intent of Proposition K was to provide quality service for the people of San Francisco. He believes that medallion holders should drive. The taxi industry should operate under the free enterprise system and that is "let the market place decide".
- **Jim Nakamura:** You can get by with working 12 hours a week. At DeSoto Cab there are only two days that he could short shift. The 800 hours requirement would cut the workload of Taxi Detail. Drivers would get better shifts. He agrees that Proposition K is flawed and suggested a ballot measure to change Proposition K. The Appellant Court decision gave the Commission the flexibility to make decisions.

9. HEARING ON DETERMINATION OF A COMMISSION CHAIRPERSON FOR THE PURPOSES OF ALL MATTERS PERTAINING TO THE REQUEST BY PHILIP H. WELCH IV, AMY L. WELCH AND THE ESTATE OF GEORGETTE WELCH TO HAVE THEIR NAMES PLACED ON PERMIT NOS. 684, 685, 686, 687, 688, 689, 690, AND 691 FORMERLY HELD BY MRS. GEORGETTE WELCH, IN LIEU OF THE PERMITS BEING RETURNED TO THE CITY AND COUNTY OF SAN FRANCISCO.

Commissioner McGuire moved Commissioner Barry to Chair item 9. Commissioner Breslin seconded the motion.

AYES: Barry, Breslin, McGuire, Smith
NOES: None
ABSENT: Jackson
RECUSED: Gillespie, Leong

Commissioner Breslin moved Commissioner Smith as chairperson to schedule all items pertaining to Georgette Welch. Commissioner Barry seconded the motion.

AYES: Barry, Breslin, Smith
NOES: McGuire
ABSENT: Jackson
RECUSED: Gillespie, Leong

PUBLIC COMMENT

- **Mark Gruberg:** Would like to see the Welch case heard. Suggested Commissioner Barry to Chair over the Welch case.
- **Barry Korengold:** He wants to protest why Vice President Gillespie had been advice to recused himself from the Welch case. Paul Gillespie is a driver at Yellow Cab and he's not on the medallion list. He believes the Welch's case should be heard by the court system and not by the Taxi Commission. Suggested Commission Barry presided over the Welch case.
- **Johnson Akinboaunse :** Wants to know why Paul Gillespie has to recused himself from the Welch case.
- **George England:** He feels the entire Commission should recused themselves and turn item 9 the Welch case over to the Courts.

10. DELIBERATIONS AND FINDINGS OF MEDALLION HOLDER NO. 897 HELD BY JAMES NEILLY.

Commissioner Barry moved for revocation of permit no. 897 held by James Neilly. Commissioner Breslin seconded the motion.

AYES: Gillespie, Barry, Breslin, Leong, Smith
NOES:
ABSENT: Jackson
RECUSED: McGuire

PUBLIC COMMENT

- **George England:** He believes Mr. Neilly is out of the taxi industry. His suggestions were to revoke Mr. Neilly's medallion or make him pay back the 3 years he was in violations.

11. APPROVAL OF FINDINGS RECOMMENDING REVOCATION OF PERMIT NO. 1181 HELD BY ALI F. HZAMI.

Commissioner Leong moved the approval of findings for revocation of Driver Public Passenger Vehicle Permit for Hire held by Ali Hzami. Commissioner Smith seconded the motion.

AYES: Gillespie, Barry, Breslin, Leong, McGuire, Smith
NOES:
ABSENT: Jackson

12. ADJOURNMENT

Adjourned at 10:15 p.m. in memory of Richmond Loewinsohn and Louis Ladow.

Respectfully submitted,

Sonya Banks
Commission Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXICAB COMMISSION
MAYOR WILLIE L. BROWN JR.

ARTHUR JACKSON, PRESIDENT
PAUL GILLESPIE, VICE PRESIDENT
JACK BARRY, COMMISSIONER
PATRICIA BRESLIN, COMMISSIONER
MARY McGUIRE, COMMISSIONER
MIN PAEK, COMMISSIONER
MARTIN SMITH, COMMISSIONER

NAOMI M. LITTLE, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

DOCUMENTS DEPT.

MAY 12 2003

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May 13, 2003 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Minutes for the April 22, 2003 Taxicab Commission Meeting. [ACTION]
4. Approval of the Consent Calendar [ACTION]
5. Taxicab Commission Announcements & Requests to Calendar Items
6. Staff Report - Presentation of Annual Report and Annual Statement of Purpose
7. Presentation by the Department of Public Works Regarding the UN Plaza Working Group's Report on Renovations to Provide a Taxi Drop-Off Area, and Hearing and Approval of Letter Submitted to the Board of Supervisors by the Executive Director. [ACTION] (United Nations Plaza Renovation Presentation of Findings)
8. Hearing and Discussion of Proposition K Full-Time Driving Requirement Including Calculation of the Required Minimum [DISCUSSION & POSSIBLE ACTION] (Continued from 3/11/03 and 4/22/03)
9. Hearing and Possible Revocation of Driver Public Passenger Vehicle Permit Held by Timothy Taylor. [ACTION] [PROPOSED FINDINGS] (Continued from 8/13/02)
10. CLOSED SESSION ON ANTICIPATED LITIGATION
    a. Public comment on all matters pertaining to closed session
    b. Vote on whether to hold closed session to confer with legal counsel (San Francisco Administrative Code sec. 67.10(d)) [ACTION]
    c. Closed session pursuant to Government Code sec. 54956.9 and San Francisco Administrative Code sec. 67.10(d): CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation as defendant (one case). Commission decision of February 11, 2003 granting the request by Philip H. Welch IV, Amy L. Welch, and the Estate of Georgette Welch to have their names placed on Permit Nos. 684, 685, 686, 687, 688, 689, 690, and 691 formerly held by Georgette Welch, in lieu of the permits being returned to the City and County of San Francisco. (Discussion)
    d. Reconvene in Open Session: Vote on whether to disclose any or all discussions held in closed session (San Francisco Administrative Code sec. 67.12(a).) [ACTION]

11. Hearing on Whether To:
    a. Vacate the Commission's decision of February 11, 2003 granting the request by Philip H. Welch IV, Amy L. Welch, and the Estate of Georgette Welch ("the Welches") to have their names placed on Permit Nos. 684, 685, 686, 687, 688, 689, 690, and 691 formerly held by Georgette Welch, in lieu of the permits being returned to the City and County of San Francisco, and reopen the hearing on the Welches' request, or
    b. Reopen the hearing on the Welches' request without vacating the February 11 decision, or
    c. Neither vacate the February 11 decision nor reopen the hearing on the Welches' request, but consider at the next Commission meeting adoption of findings in support of the February 11 decision. [ACTION]

12. Public Comment (Please limit public comment to items not on the agenda)

13. Adjournment

Taxicab Commission Agenda
Regular Meeting
May 13, 2003 6:30 PM
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of a Driver of Public Vehicle for Hire permit to:

Muhammad A. Aduan	Tesfaye M. Anteneh	Renato Q. Araki	Olusegun A. Ayodele
Vusal Azizaliyev	Joseph P. Benham	Frederic E. Bergman	Roshan K. Bhatta
Andrew L. Black	Kostyantyn Cherkashyn	Samuel V. Concillo	Alexander R. Daunys
Ricardo G. Deassis	Ignatius A. Elendu	Luis C. Escribano	Helio A. Ferreira
Randy M. Fong	Brian R. Fornadel	Alessandro S. Galvao	Marichal M. Gilbert
Thomas E. Kamb	Mujib Khan	Artur Martirosyan	Michael J. Minan
Jose A. Montelpare	Gregory J. McCauley	Patrick J. McGorty	Jack L. Neeley
Tony P. Nguyen	Joseph U. Nwakor	Mitchell A. Peppars	Justin T. Pflueger
Gregory J. Pleashaw	Benedict J. Raia	Jose F. Rodriguez	Vladimir Shaanov
Stanislav Shakhnazarov	Jose Sierra	Balwinder Singh	Oleg Skotar
Aleksandr Sukherman	Hung H. Truong	Renard L. Williams	

B. Recommendation of the Police Taxicab Detail for approval of Taxicab Color Scheme changes to, (Approval is conditional upon the applicants submitting insurance certification indicating appropriate coverage to operate under the new Color Scheme, notification to the Taxi Detail of the Specific Date of change and that such change be completed within twenty-one days of Commission Approval):

	Medallion Holder	Cab #	Change
1.	Yossedek Desta	850	B&W Checker to Luxor Cab
2.	Juri Malkin	612	United Cab to Luxor Cab
3.	Louis Peppars	337	National Cab to Luxor Cab

NOTICE
This is not an agenda item for this meeting, but serves as a public notice.

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the May 27, 2003 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER:
Jimmy Chung
Christopher Forgerson
Fred Brandt
Yung Park

RAMPED TAXICAB PERMIT HOLDER:
Abdulbaki Gudu
Abraham Roth
Jilcha Sambi
Larry Shamis
Tai Yip
Getachew Yadeta

COLOR SCHEME CHANGES:

	Medallion Holder	Cab #	Change
1.	Kwok Ho	1053	Regents Cab to Fog City Cab
2.	Amin Jamally	1235	DeSoto Cab to Royal Taxi
3.	Andrew Lindemann	1242	Luxor Cab to Worldwide Cab
4.	Lando Siu	1181	Yellow Cab to Fog City Cab
5.	Boris Slepnyov	1261	B&W Checker to Luxor Cab
6.	Lawrence Song	1084	Big Dog City to Yellow Cab
7.	Anthony Tran	1065	Arrow Cab to Regents Cab

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers.

Copies of the commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm.

(Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact Sonya Banks at (415) 554-3940, at least 72 hours prior to the meeting. Late requests will be honored if possible.

Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact Sonya Banks at (415) 554-3940, at least 72 hours prior to the meeting. Late request will be honored if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities may call Sonya Banks at (415) 554-3940 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90. For information about MUNI accessible services, call (415) 923-6142.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall, Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 234, by phone at (415) 554-7724, by fax at (415) 554-5163 or by e-mail at Donna_Hall@ci.sf.ca.us
Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Donna Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

SAN FRANCISCO LOBBYIST ORDINANCE

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Admin. Code §16.520-16.534] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102, telephone (415) 554-9510, fax (415) 703-0121 and web site http://www.ci.sf.ca.us/ethics/

WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

CITY AND COUNTY OF
SAN FRANCISCO

TAXICAB COMMISSION
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MIN PAEK, COMMISSIONER
MARTIN SMITH, COMMISSIONER

23
2
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MINUTES

Commission Chambers – Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
May 13, 2003
6:30 PM

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Regular Meeting

PRESENT: Jackson; Gillespie; Barry; Breslin; McGuire; Paek; Smith

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:36 PM

STAFF IN ATTENDANCE: Naomi Little, Executive Director, Cynthia Kang, Sonya Banks - Taxicab Commission; Captain Thomas O'Neill, Lieutenant Jeanne Schlotz, Sergeant Vince Simpson, Inspector Farrell Suslow – Taxicab Detail

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL – The Roll Call showed a quorum was present.**

3. **APPROVAL OF THE MINUTES FOR THE APRIL 22, 2003 TAXICAB COMMISSION MEETING.**

Commissioner Gillespie moved the minutes be approved. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Barry, Paek, Smith **ABSENT:** Breslin, McGuire
NOES: None

4. **APPROVAL OF THE CONSENT CALENDAR.**

Commissioner Gillespie moved to approval the Consent Calendar. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Barry, Paek, Smith **ABSENT:** Breslin, McGuire
NOES: None

5. **TAXICAB COMMISSION ANNOUNCEMENTS & REQUESTS TO CALENDAR ITEMS**

Commissioner Barry: Would like to schedule for review the topic of annual permit fees. He suggested hearing from medallion holders and cab companies if a revision of the methodology establishing medallion fees is needed.
Commissioner Gillespie: Informed the Commission the Giants put up on the Pac Bell Park scoreboard the location of the taxi stand on 2nd and Townsend Streets. Welcomed Commissioner Paek.

Commissioner McGuire: Members of the public are upset about general public comment being placed at the end of the agenda.
Commissioner Smith: Would like to schedule, at the "Call of the Chair", why medallion holders have to drive their own medallions. A medallion holder should be able to drive any medallion if his/her cab is not available in order to fulfill their driving requirement. Would like to schedule a hearing on workers compensation. Would like to see a moratorium on color scheme changes from workers compensation companies to non-workers compensation companies. Would like to schedule a hearing on the necessity of smog and light inspections at the airport.
Commissioner Breslin: She agrees with Commissioner Smith about the unfair business competition regarding companies that carry workers compensation. Welcomed Commissioner Paek.

PUBLIC COMMENT

- **Barry Taranto:** Would like the Commissioners to vote on whether to put general public comment at the beginning or end of the meeting. Suggested placing general public comment back to the beginning of the meeting.
- **Ruach Graffis:** Agreed with Barry Taranto. Suggested putting general public comment back at the beginning of the meeting. Please do not prevent cab drivers from speaking at this forum.
- **Henry Kim, San Francisco Taxi Association:** Welcomed Commissioner Paek. Proud to see another Korean American serving on the Taxi Commission. He feels the workers compensation is creating an uneven playing field amongst color schemes. He believes the commission will see medallions drift from cab companies that are in full compliance with workers compensation to cab companies that don't carry workers compensation.
- **XXXX:** He feels if a driver gets hurt while driving for a company that carries workers compensation the driver will be taken care of. He suggested making all cab companies carry workers compensation.
- **Ron Wolter:** Would like to urge the Commissioners to restore general public comment back to the beginning of the meeting.
- **XXXX:** He feels that the Commission robs them of the right to speak first by moving public comment to the end of the meeting.
- **Joseph Fleischman:** He feels if cab companies carry workers compensation it will protect the public, the cab companies and the permit holders.
- **Tara Housman:** Disagrees with placing general public comment at the end of the meeting.

6. STAFF REPORT

Naomi Little, Executive Director: 1) Presented the Annual Statement of Purpose and Annual Report. (Complete Annual Report is located on the Taxi Commission web page - www.sfgov.org/taxicommission). 2) After speaking with Department of Parking and Traffic it was recommended to allow the Moscone West Taxi Stand located on 4th Street to remain without eliminating the Taxi Stand hours between 4:00-6:00 p.m. This recommendation will be forward to Municipal Transportation Authority agenda for their June 3, 2003 meeting.
Sergeant Vince Simpson, SFPD Taxi Detail: Regarding the security cameras, there was an arrest made on the initial photograph that was sent out on the crime information bulletin to all the cab companies. The second arrest as mentioned by Commissioner Smith was from a digital photo that was downloaded from Big Dog Taxicab. CAB DRIVERS MUST NOT TINKER WITH SECURITY CAMERAS.

PUBLIC COMMENT

- **Jim Kennedy:** How do cab drivers know if the security cameras are functioning correctly? Wanted to know where does it state that Pre-Proposition K permit holders are exempt from driving. As of June 1978, all permits are Proposition K. There is no such thing as Post Proposition K permits.
- **XXXX:** Disagreed with Jim Kennedy's statement stating there is no such thing as Pre and Post Proposition K. The Pre Proposition K's permit holders are allowed to lease their medallions as stated in Proposition K.

7. PRESENTATION BY THE DEPARTMENT OF PUBLIC WORKS REGARDING THE UN PLAZA WORKING GROUP'S REPORT ON RENOVATIONS TO PROVIDE A TAXI DROP-OFF AREA, AND HEARING AND APPROVAL OF LETTER SUBMITTED TO THE BOARD OF SUPERVISORS BY THE EXECUTIVE DIRECTOR.

Judi Mosqueda, Project Manager for Department of Public Works gave a presentation on the UN Working Group's recommendation to provide a Taxi Drop-Off at the UN Plaza.
Harlan Kelley, City Engineer spoke.

Motion 1: Commissioner McGuire moved to reject the draft letter submitted by Executive Director Little to the Board of Supervisors. Commissioner Barry seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek, Smith **NOES:** None

Motion 2: Commissioner Breslin moved that the Executive Director write a letter to the Board of Supervisors expressing appreciation for inviting the Taxi Commission to be a part of the process and alerting the Board of Supervisors as to our concerns and advice. Commissioner Paek seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek, Smith **NOES:** None

PUBLIC COMMENT

- **Mark Gruberg:** Disagrees with the removal of the statue and placing the Taxi Stand on 7th and Market Streets at the UN Plaza.
- **Allen White:** Provided an editorial dated April 30, 2003 from the S.F. Chronicle and a letter from the architect who designed the fountain at UN Plaza. Disagrees with destroying the art fountain at the UN Plaza. Recommended the Taxi Commission reject the letter to the Board of Supervisors.
- **Robert Cesana:** Welcomed Commission Paek. Disagrees with moving the statue. The UN Plaza renovation plan is a disaster because no one looked into the traffic problems. Would like to see the taxi stand located at 8th and Market Streets.
- **Barry Taranto:** He feels the Taxi Commission should have been informed by Supervisor Chris Daly in advance of the plans for the UN Plaza to create a taxi stand before submission to the Board of Supervisors.
- **Ruach Graffis:** Agrees with providing a Taxi Stand at the UN Plaza, but feels that 7th and Market Street is a very dangerous corner. Disagrees with destroying the fountain at UN Plaza. Suggested recommending Vice President Gillespie's idea of making the UN Plaza a revolving market place.
- **Jim Kennedy:** He states the plan was brought before the Board of Supervisor two (2) days ago, and it was agreed at their meeting not to removed the fountain.
- **Tara Housman:** Believes this is a social engineering issues and cabs are being used as the "hook" to deal with the homeless problem. The traffic flow for a taxi stand is wrong for 7th and Market Streets.
- **Barry Korengold:** He feels that most cab drivers will not pick up on 7th and Market Streets. Suggested having the taxi stand on Hyde near Grove Streets for accessible traffic flow.
- **Ron Wolter:** We need help with providing taxi stands near BART Stations. Believes that this particular plan is not well planned out.

8. HEARING AND DISCUSSION OF PROPOSITION K FULL-TIME DRIVING REQUIREMENT INCLUDING CALCULATION OF THE REQUIRED MINIMUM.

Motion 1: Commissioner McGuire moved Executive Director Little prepare a resolution to the Board of Supervisor for calculation of an hourly driving standard. Commissioner Barry seconded the motion. Motion fails 1-6

AYES: McGuire
NOES: Jackson, Gillespie, Barry, Breslin, Paek, Smith

Motion 2: Commissioner Barry moved to continue discussion of Proposition K Full-Time Driving to be considered in a ballot initiative. Commissioner Paek seconded the motion. Motion passes 7-0

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek, Smith **NOES:** None

PUBLIC COMMENT

- **Ron Wolter:** Read quotes from Deputy City Attorney Tom Owen's opinion regarding the full-time driving requirement. He disagrees with the some of the statements.
- **Joseph Fleischnan:** He states in Section 2B of Proposition K the 4-day week is 156 shifts not 185 shifts which was based on a 5-day week". He hopes that the recommendation adopted by the Taxi Commission would allow permit holders a choice between driving 156 shifts or 800 hours. He feels that the hourly standard is better for the permit holders, the public, cab companies and drivers who don't have medallions.
- **Jim Kennedy:** He drives a 4-day week at 4 hours per shift. He would prefer to work a 10 hour day, 2 days a week. He would prefer to have a choice.
- **Robert Cesana:** The Taxi Commission has taken away medallions from drivers who could have drove 800

hours but could not fulfill the 156 shifts requirement.

- **Barry Taranto**: Thanked Deputy City Attorney Owen for preparing the driving requirement memorandum and making the document public. He agrees as an alternative to 156 shifts it should be an alternative hourly standard. He believes that an hourly standard under certain conditions should work for those drivers who may not drive many shifts but have put in many hours during the year.
- **Ruach Graffis, United Taxicab Workers**: Welcomed Commissioner Paek. The Federal Law in the driving industry states you can drive 10 hours then the driver must have 8 hours off. Suggested cab drivers should have a shorter shift. Not 10 hours but 8 or 9 hours and of course the gate fee should be reduced as well.
- **Mark Gruberg:** He feels the policy of the Taxi Commission should be to encourage permit holders to do the full time driving and not drive part time. He feels that some permit holders wants to drive the bare minimum. Recommended the Commission not encourage permit holders to drive the minimum. He states that the 800 hours is an artificial made up number. He states he is not anti labor, as Mr. Fleischman's believes, because he is against the 40-hour workweek.
- **Barry Korengold:** In favor of the 800 hours because it will allow for more flexibility of scheduling. Drivers should be allowed to bank their hours. Also, he believes that cab drivers should not have to work full time but be allowed to work other jobs.
- **Anne McVeigh:** The statement was made that the purpose of Prop. K was to have full time cab drivers. She believes the purpose of Prop. K was to have adequate cab service for the City of San Francisco. The problem with Prop. K is that it is incomplete. Would like to Commission to make a decision regarding the 800 hours.
- **Mike Spain:** In favor of the 800 hours. In Prop. K the person receiving the permit must swear their intent to be full time drivers which, means driving 4 hours in any 24-hour day.
- **Johnson Akinbodunse, Yellow Cab Driver:** He became a cab driver because of the flexibility. He urged the Commission to send a letter to the Board of Supervisors to give the taxi industry the option of 800 hours or 156 shifts per year.
- **Henry Kim, S.F.T.A.:** The S.F.T.A. fully supports the alternative full time driving requirement of 800 hours. It provides better flexibility for the cab companies in terms of scheduling shifts. He reminded the Commission that it was the Taxi Task Force that recommended the 800 hours. Most drivers become cab drivers because of the flexibility.
- **George England, Luxor Cab Driver:** The non-medallion holders will drive 2500 hours in a year while medallion holders will drive 800 hours. If the taxi industry were fair then all drivers would have a medallion. The non-medallion holder pays high gate fees and has to buy their own gas. This is not a free enterprise.
- **Jim Nakamura, President, S.F. Taxi Permit Holders and Drivers Association:** Welcomed Commissioners Jackson and Paek. Thanked Henry Kim of the San Francisco Taxi Association for supporting the 800 hours. In Prop. K the 75% of the business day was applied only during the application process. There is a procedure applicants must go through to have their names placed on the medallion waiting list. He works 1248 hours a year

9. **HEARING AND POSSIBLE REVOCATION OF DRIVER PUBLIC PASSENGER VEHICLE PERMIT HELD BY TIMOTHY TAYLOR.**

Sergeant Vince Simpson presented the case on behalf of SFPD Taxi Detail.
Timothy Taylor spoke on his own behalf.

Commissioner Barry moved for revocation of Driver of Public Passenger Vehicle for Hire Permit held by Timothy Taylor. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek, Smith **NOES:** None

10. **CLOSED SESSION ONANTICIPATED LITIGATION**
    a. **Public comment on all matters pertaining to closed session**
    b. **Vote on whether to hold closed session to confer with legal counsel**
    c. **Closed session pursuant to Government code sec. 54956.9 and San Francisco Administrative Code sec. 67.10(d): Conference with Legal Council – Anticipated Litigation. Significant exposure to litigation as defendant (one case). Commission decision of February 11, 2003 granting the request by Philip H. Welch IV, Amy L. Welch, and the estate of Georgette Welch to have their names placed on Permit Nos. 684, 685, 686, 687, 688, 689, 690, and691 formerly held by Georgette Welch, in lieu of the permits being returned to the City and County of San Francisco.**
    d. **Reconvene in Open Session: Vote on whether to disclose any or all discussions held in closed session.**

Phil Ward spoke on behalf of Philip Ward IV, Amy Welch and the Estate of Georgette Welch.
Naomi Little spoke on behalf of the Taxi Commission.
Paul Zaresky, Deputy City Attorney attended the closed session.

Commissioner Breslin moved not to disclose any of the decision of item 10. Commissioner Paek seconded the motion.

AYES: Barry, Breslin, McGuire, Paek, Smith
NOES: None
ABSENT:
RECUSED: Jackson, Gillespie

PUBLIC COMMENT

- **Ron Wolter:** Opposed to the transfer of permits from a deceased person to Philip and Amy Welch. His concerns are if the permits are schedule to expire in June 2003, does the court order force the City to issue new permits in the name of Georgette Welch even though she is deceased? Is it lawful to issue a permit to a deceased person? He recommended vacating the decision made by the Commission on February 11, 2003.
- **Barry Korengold:** He recommended the permit be returned to the City and distributed to working cab drivers. Georgette Welch had the opportunity to pay the transfer fee but she did not.
- **Jim Kennedy:** This matter was already litigated in court. The Judge instructed litigators to settle this matter at the SF Taxi Commission. REASON: Attorney for Welch's mentioned a prior decision by the Taxi Commission in the John Lazar decision. Whereas, the Taxi Commission allowed John Lazar to retain permits on a "clerical error." JUDGES DECISION: Whereas; the Welch's were claiming a "similar" "clerical error" Judge stated that since the Taxi Commission had previously made a decision on a "clerical error" John Lazar than the Taxi Commission can make a decision on this case. PROBLEM: Superior Court Judge Ronald Quidachay has ordered the SF Board of Appeals to hear and decide on an appeal by the UTW, the John Lazar "clerical error" decision by the Taxi Commission. Board of Appeals had previously declined to hear the matter, claiming in lacked jurisdiction. [clerical error's] QUESTION: Now that the Lazar case is back in the appeals process. How can the Taxi Commission make a decision on a "clerical error" case [Welch's] when the Judge based his opinion on the Lazar decision? The Welch's case should be held in abeyance until the Lazar case has been decided.
- **Mark Gruberg:** He hopes the Commission seeks and get advise on the question "What is the Commission and the City's exposure to litigation as a defendant"?
- **Tara Housman:** The Welch's attorney stated the intention of Georgette Welch was to give two (2) medallions to each of her four children. Although, she did not pay the transfer fees nor did she do the paperwork to have the medallions transferred. If Georgette Welch's intention was to give two medallions to each child why did the Commission award the eight medallions to only two of Georgette Welch's children?
- **George England:** Proposition K is clear as to what happens to medallions. There was the opportunity when the applicant received their medallions to have the medallions grandfather and many people did. He believes the Welch's medallions should be returned to the City and reissued.

11. HEARING ON WHETHER TO:

a. Vacate the Commission's decision of February 11, 2003 granting the request by Philip H. Welch IV, Amy L. Welch, and the Estate of Georgette Welch ("the Welches") to have their names placed on Permit Nos. 684, 685, 686, 687, 688, 689, 690, and 691 formerly held by Georgette Welch, in lieu of the permits being returned to the City and County of San Francisco, and reopen the hearing on the Welches' request, or

b. Reopen the hearing on the Welches' request without vacating the February 11 decision, or

c. Neither vacates the February 11 decision nor reopen the hearing on the Welches' request, but consider at the next Commission meeting adoption of findings in support of the February 11 decision.

Motion 1: Commission McGuire moved to adopt 11A. Commissioner Barry seconded the motion for discussion. Motion fails 2-3

AYES: McGuire, Paek
NOES: Barry, Breslin, Smith
RECUSED: Jackson, Gillespie

As a result, option 11C takes affect by default.

PUBLIC COMMENT

- **Barry Taranto:** Urge the Commission to pick option A which states to vacate the Commission's decision of February 11, 2003 granting the request by Philip H. Welch IV, Amy L. Welch, and the Estate of Georgette Welch ("the Welches") to have their names placed on Permit Nos. 684, 685, 686, 687, 688, 689, 690 and 691 formerly held by Georgette Welch, in lieu of the permits being returned to the City and County of San Francisco, and reopen the hearing on the Welches' request.
- **Mark Gruberg**: Questioned why public comment is limited to two minutes? Agrees with Barry Taranto's comments. He feels the original decision was tainted because two Commissioners apparently had conflicts. The two Commissioners that recused did so to comply with State Law.
- **Jim Kennedy**: The question should be: Why wasn't the revenue on these permits placed in escrow until the courts can sort things out? These [Welch] permits along with the [Lazar] permits have been in dispute for many, many months, and could drag on for years. The contested owners of these permits should not be rewarded for dragging this thing out for as long as possible. The permits by law were supposed to be returned to the city for redistribution to the next person(s) on the "Applicants Waiting List." The whole question of a purported "clerical error" should have never been allowed in the first place. These so called clerical error(s) should have been resolved while the original permit holders were still alive. They certainly had the time and the moneyto have any additional names added to the 1095 Permit Holder Form while the original permit holders were still alive.
- **Tara Housman**: Urged the Commission to accept option A. She would like to see the Welch's case reopened.
- **Ron Wolter**: He suggested that the Commission accept option A based on the fact that the first decision was clearly an illegal transfer.

12. PUBLIC COMMENT

- **Art Lembke:** He feels that Prop. K was established to keep Yellow Cab off the streets. He states he never received any notices regarding transferring permits.
- **Mark Gruberg:** Responded to the comments made by the President of the Permit Holder Association. He feels the comments made were unfair.
- **Barry Korengold:** He said that lots of cab drivers did not know they could put their names on the medallion waiting list. He states if he did not pay his money his name would not be on the medallion waiting list.
- **Jim Kennedy:** Complained about public comment being place at the end of the agenda and limiting public comment to two minutes.
- **Barry Taranto:** He was disappointed with the Commissioner's decision made earlier. Welcomed Commissioner Min Paek. Some hotels still are allowing limousines to be park adjacent on their property and stealing passengers.
- **George England:** Suggested in the future if a medallion holder becomes deceased the medallion should be returned immediately to the City. Would like more effort put into the creating more business for the Taxi Industry.

13. ADJOURNMENT

Commissioner Smith moved to adjourn at 12:30 a.m.

Respectfully submitted,

Sonya Banks, Commission Secretary

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MAY 27 2003

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PATRICIA BRESLIN, COMMISSIONER
MARY McGUIRE, COMMISSIONER
MIN PAEK, COMMISSIONER
MARTIN SMITH, COMMISSIONER

NAOMI M. LITTLE, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

May 27, 2003 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Minutes for the May 13, 2003 Taxicab Commission Meeting. [ACTION]
4. Approval of the Consent Calendar [ACTION]
5. Taxicab Commission Announcements & Requests to Calendar Items
6. Staff Report
7. Hearing and Approval of a Resolution Urging the Board of Supervisors to Amend the Municipal Police Code by Establishing Administrative Penalties for Violations of Article 16 and the Taxi Commission's Rules and Regulations. [ACTION] (Draft Language)
8. Hearing and Approval of a Resolution Urging the Board of Supervisors to Amend 1089 of the Municipal Police Code to Disqualify Applicants for Taxi Driver Permits Who Have Been Convicted of Certain Felony Crimes within a Four-Year Period Immediately Preceding Their Application. [ACTION] (Proposed Resolution)
9. Hearing and Discussion on the Authorities of the City and County of San Francisco to require Workers' Compensation by Taxicab Color Scheme Permitholders and Possible Approval of a Resolution Urging the California State Legislature to amend Section 4157 of the California Labor Code, relating to Workers' Compensation. [DISCUSSION AND POSSIBLE ACTION] (Proposed Legislation)
10. Recommendation of the Police Taxicab Detail for approval of a Ramped Taxicab Medallion Holder permit to: [ACTION]

	Medallion Holder	Medallion #	Color Scheme
1.	Abdulbaki Gudu	9012	Yellow Cab
2.	Abraham Roth	9001	Yellow Cab
3.	Jilcha Sambi	9003	Luxor Cab
4.	Larry Shamis	9019	B&W Checker Cab
5.	Tai Yip	9018	Luxor Cab
6.	Getachew Yadeta	9017	DeSoto Cab

11. Approval of Findings Granting Request by Philip H. Welch IV, Amy L. Welch and the Estate of Georgette Welch. [ACTION] (Proposed Findings)

12. Public Comment (Please limit public comment to items not on the agenda)

13. Adjournment

Taxicab Commission Agenda
Regular Meeting
May 27, 2003 6:30 PM
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of a Driver of Public Vehicle for Hire permit to:

Yaroslav Babenko	Weng K. Ban	Chakerallah Beddar	Semion Borisov
Yefim Busel	Teresa D. Chism	Zaw N. Dumpyar	Khaled A. Elwakil
Adriano d. Faquini	Felix German	Christopher D. Honer	Linda J. Horton
Naing Htun	Isah G. Jafaru	Peter J. Johnson	Allan Jung
Anatoliy Kustura	Sohila Latifi	Eamonn P. Maunsell	Timothy M. McGinnis
Patrick Ngai	Elijha J. Norton	Marcio A. Oliveira	Valerly Paschenko
Cynthia Perry	Aziz Quaisse	Rafael S. Ribeiro	Syed A. Rizvi
Daniel B. Robin	Michael N. Saba	Gulammohamed Shaikh	Devendra Shrestha
Amarbir Singh	Robert W. Stewart	David P. Stone	Benjamin M. Strasser
Mike E. Tajdar	Hung V. Tang	Thaw M. Tin	Cortney P. Welch
Henry K. Wong	Natallia Yermalovich	Quentin E. York	

B. Recommendation of the Police Taxicab Detail for approval of a Taxicab Medallion Holder permit to:

	Medallion Holder	Medallion #	Color Scheme
1.	Jimmy Chung	399	Yellow Cab
2.	Christopher Forgerson	591	Luxor Cab
3.	Fred Brandt	114	Yellow Cab
4.	Yung Park	176	Bay Cab

C. Recommendation of the Police Taxicab Detail for approval of Taxicab Color Scheme changes to, (Approval is conditional upon the applicants submitting insurance certification indicating appropriate coverage to operate under the new Color Scheme, notification to the Taxi Detail of the Specific Date of change and that such change be completed within twenty-one days of Commission Approval):

	Medallion Holder	Cab #	Change
1.	Kwok Ho	1053	Regents Cab to Fog City Cab
2.	Amin Jamally	1235	DeSoto Cab to Royal Taxi
3.	Andrew Lindemann	1242	Luxor Cab Worldwide Cab
4.	Lando Siu	1181	Yellow Cab to Fog City Cab
5.	Boris Slepnyov	1261	B&W Checker to Luxor Cab
6.	Lawrence Song	1084	Big Dog City to Yellow Cab
7.	Anthony Tran	1065	Arrow Cab to Regents Cab

D. Recommendation of the Taxi Commission to deny a Ramp Vehicle Extension to Dan Amirehsani, Medallion Holder #9026.

NOTICE

This is not an agenda item for this meeting, but serves as a public notice.

1. Special 10-Day Notice for June 10, 2003 Taxi Commission Meeting
Hearing and Approval of Amendment to Taxi Commission Hearing Procedure Guidelines. [ACTION]

2. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the June 10, 2003 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER:
Norma Geer
Robert Haroutunian
Jamshid Khajvandi
To Lam
Dominic Rodrigues
Emad Shehadeah
Mostafa Syed
Steven Szerencsi

RAMPED TAXICAB PERMIT HOLDER:
Raed Sweis

COLOR SCHEME CHANGES:

	Medallion Holder	Cab #	Change
1.	*Thomas Bell*	*238*	*Luxor Cab to American Taxi*
2.	*KKL Cab Co.*	*432*	*United Cab to Bay Cab*

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers.

Copies of the commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm.

(Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact Sonya Banks
at (415) 554-3940, at least 72 hours prior to the meeting. Late requests will be honored if possible.

Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact Sonya Banks at (415) 554-3940, at least 72 hours prior to the meeting. Late request will be honored if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities may call Sonya Banks at (415) 554-3940 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90. For information about MUNI accessible services, call (415) 923-6142.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall, Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 234, by phone at (415) 554-7724, by fax at (415) 554-5163 or by e-mail at Donna_Hall@ci.sf.ca.us
Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Donna Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

SAN FRANCISCO LOBBYIST ORDINANCE

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Admin. Code §16.520-16.534] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102, telephone (415) 554-9510, fax (415) 703-0121 and web site http://www.ci.sf.ca.us/ethics/

WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

CITY AND COUNTY OF
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TAXICAB COMMISSION
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23
2
5/27/03

MINUTES

Commission Chambers – Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
May 27, 2003
6:30 PM

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Regular Meeting

PRESENT: Jackson; Gillespie; Barry; Breslin; McGuire; Paek; Smith

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:38 PM

STAFF IN ATTENDANCE: Naomi Little, Executive Director, Cynthia Kang, Sonya Banks - Taxicab Commission; Lieutenant Jeanne Schlotz, Sergeant Vince Simpson, Inspector Farrell Suslow – Taxicab Detail

1. **PLEDGE OF ALLEGIANCE**
2. **ROLL CALL – The Roll Call showed a quorum was present.**
3. **APPROVAL OF THE MINUTES FOR THE MAY 13, 2003 TAXICAB COMMISSION MEETING.**

Commissioner Smith moved the approval of the minutes with an amendment. Commissioner Gillespie seconded the motion.

AYES: Jackson, Gillespie, Barry, Bresln, McGuire, Paek, Smith **NOES:** None

PUBLIC COMMENT

- **Ron Wolter:** Would like the minutes to reflect the request of Georgette Welch had two motions at the 5/13/03 Commission hearing.

4. **APPROVAL OF THE CONSENT CALENDAR**

Commissioner Gillespie requested to sever item D on the Consent Calendar. Commissioner Smith seconded the motion.

PUBLIC COMMENT

- **Barry Taranto:** Request to have item 4D of the Consent Calendar severed. Concerned over having the agenda's consent calendar switched after the agenda has been advertised. Congratulated the four taxicab medallion applicants.

- **Dan Amirehsani, Ramp Taxi #9026:** Requested an extension on his ramp vehicle, that is due to come out of service, because he feels his name is coming up soon on the regular medallion list.
- **Jim Kennedy:** He protested Commissioner Smith's protest. He wanted to know why Fog City Cab Company should be penalized by not allowing Lando Siu's request for Color Scheme Change?

Executive Director Little included agenda item #10 to the consent calendar as items 10.4C

Commissioner Gillespie moved to approve items **4A - Driver of Public Vehicle for Hire permit, 4B2 and 4B4 – Taxicab Medallion Holder permit** and **10.4C3-6 – Ramp Taxicab Medallion Holder permits.** Commissioner Barry seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek, Smith **NOES:** None

Commissioner Barry moved to approve items **B1, 3 – Taxicab Medallion Holder permit** and **10.4C 1, 2 – Ramped Taxicab Medallion Holder permit**. Commissioner Breslin seconded the motion.

AYES: Barry, Breslin, McGuire, Paek, Smith **RECUSED**: Jackson, Gillespie
NOES: None

Commissioner Barry moved to approve the denial of **4D** request for ramp vehicle extension for Dan Amirehsani. Commissioner Breslin seconded the motion. Motion pass 4-2

Dan Amirehsani spoke on his own behalf.

AYES: Jackson, Barry, Breslin, Smith
NOES: Paek, Gillespie **RECUSED:** McGuire

PUBLIC COMMENT

- **Andrew Lindemann:** In support of a vehicle extension for Mr. Amirehsani providing he summit copies of waybills.
- **Barry Taranto:** He stated Dan Amirehsani had discrepancies on the waybills that he submitted to the Taxi Commission office. He feels there should be high standards for ramp taxi permit holders. Suggested that Mr. Amirehsani's request should not be rewarded.

Commissioner Smith requested to sever item **4C4** Lando Siu on the Consent Calendar. Commissioner Barry seconded the motion.

Motion 1: Commissioner Smith moved to approve the Color Scheme change for items **4C1, 2, 3, 5, and 7.** Commissioner Gillespie seconded the motion. Motion fails 1-6

AYES: Gillespie **NOES:** Jackson, Barry, Breslin, McGuire, Paek, Smith,

Motion 2: Commissioner Breslin moved to approve the Color Scheme change for items **4C1, 2, 3, 5, and 7,** pending proof of workers compensation insurance. Commissioner Barry seconded the motion. Motion pass 7-0

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek, Smith **NOES:** None

PUBLIC COMMENT

- **Andrew Lindemann:** His name is #3 on the consent calendar for approval for Taxicab Color Scheme change. He states that no new workers compensation policy can be purchased in California right now. Request not to be penalize for not having workers compensation.

Commissioner Smith moved not to allow the Color Scheme transfer of **4C4** Lando Siu. Commissioner Barry seconded the motion. Motion pass 4-1

AYES: Barry, Breslin, Paek, Smith **RECUSED:** Jackson, Gillespie
NOES: McGuire

PUBLIC COMMENT

- **Jim Kennedy:** Questioned why Yellow Cab is allowed to benefit if Lando Siu cannot transfer to Fog City. Informed the Commission they cannot revoke Mr. Siu's permit twice.
- **Steven Reimer:** He feels this has turned into an opportunity to bash Yellow Cab Company. Suggested ignoring that the transfer is from Yellow Cab.

Commissioner Barry moved to approve the Color Scheme change of item **4C6** with the condition that proof of workers compensation insurance is provided. Commissioner Breslin seconded the motion.

AYES: Barry, Breslin, McGuire, Paek, Smith **RECUSED:** Jackson, Gillespie
NOES: None

PUBLIC COMMENT

- **Mark Gruberg:** Recommended that this motion be conditional upon the applicants providing proof of workers compensation.
- **Jim Kennedy**: He agreed with Mark Gruberg's statement about providing proof of workers compensation. He states that Yellow Cab has never carried workers compensation. He feels that Yellow Cab only carries workers compensation now because they were forced by litigation.

5. TAXICAB COMMISSION ANNOUNCEMENTS & REQUESTS TO CALENDAR ITEMS

Commissioner Barry: Would like to discuss the present medallion system. He suggested re-writing Proposition K.
Commissioner Smith: There has been an increase in bus zone drop off tickets. Recommended having a taxicab stand at the BART Station located at the San Francisco Airport. Suggested having DPW change Laguna Street, between Fell and Oak Streets, to a two-way street. Would like to calendar for discussion the elimination of the smog and light certification. He feels that it would save cab companies money. The State already requires the vehicle to have a smog and light certificate every two years.
Commissioner Gillespie: Thanked President Jackson for restoring public comment back to the beginning of the agenda. Suggested changing the order of agenda items to have the staff report after the minutes, commissioner's announcements and then have only one public comment instead of three separate public comments. Questioned Inspector Suslow, SFPD Taxi Detail, regarding the procedures on reissuing the pending ramp taxi medallions. Ramp taxi medallion holders wanted to know why they have to go through the same procedures as a regular medallion holder?
Commissioner McGuire: Questioned Inspector Suslow about the ramp taxi medallion procedures. Suggested restoring public comment back to the beginning of the agenda.
Commissioner Breslin: She agrees with Commissioner Smith about the unfair business competition regarding companies that carry workers compensation. Welcomed Commissioner Paek.

PUBLIC COMMENT

- **Barry Taranto:** He is glad Commissioner Gillespie brought up the pending ramp taxi medallions. Asked if a ramp taxi medallion holder gives back their ramp medallion, should the cab company profit from the ramp permit? He would like the Taxi Commission to make a decision as to how long to allow a cab company to prosper off the ramp taxi medallion until a qualified applicant receives the ramp medallion. Suggested holding the profits in a separate account for those medallions that are pending a qualified ramp applicant.

6. STAFF REPORT

Naomi Little, Executive Director: 1) The Municipal Transportation Authority has decided to approve the 4th Street taxi stand at Moscone West and allow it to remain in effect 24 hours a day. The approval has been moved to a special meeting on May 30, 2003 at 1:00 p.m. 2) Cynthia Kang, Commissioner Paul Gillespie, Barry Taranto and other members of the United Taxicab Workers has been lobbying the California Public Utilities Commission in the rule order changing the definition of pre-arrangement to charter party transportation. CPUC would like for the Taxi Commission to work with other lobbying groups in California. 3) The Board of Supervisor may be considering a hourly standard to the full-time driving requirement of 1040 hours.

PUBLIC COMMENT

- **Jim Kennedy:** Wanted to know the legality of the vote held by the Taxi Commission on February 11, 2003 and the conflict of interest?

7. **HEARING AND APPROVAL OF A RESOLUTION URGING THE BOARD OF SUPERVISORS TO AMEND THE MUNICIPAL POLICE CODE BY ESTABLISHING ADMINISTRATIVE PENALTIES FOR VIOLATIONS OF ARTICLE 16 AND THE TAXI COMMISSION'S RULES AND REGULATIONS.**

This item is being continued.

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek, Smith **NOES:** None

Tom Owen, Deputy City Attorney gave presentation on the full-time driving requirement.
Sergeant Simpson spoke on behalf of the SFPD Taxi Detail.

PUBLIC COMMENT

- **Ron Wolter:** He states the Taxi Commission and Taxi Detail had granted permits to people who had no intentions on driving a taxicab. He read a quote from Quentin Kopp to the Board of Appeals in 1998 "the primary purpose of Proposition K was to place permits in the hands of working drivers".
- **Mark Gruberg:** He endorses the concept of establishing penalties for violators. In some cases maybe both a fine and suspension/revocation would be appropriate.
- **Tara Housman:** She does not want to address the merit of this legislation but the form of noticing. Disagrees with some of the wording in the resolution. It is too vague.
- **Andrew Lindemann:** He agrees with the resolution. Recommended applying penalties on a case-by-case situation. Suggested having something in the resolution that would protect the older cab drivers.

8. **HEARING AND APPROVAL OF A RESOLUTION URGING THE BOARD OF SUPERVISORS TO AMEND SECTION 1089 OF THE MUNICIPAL POLICE CODE TO DISQUALIFY APPLICANTS FOR TAXI DRIVER PERMITS WHO HAVE BEEN CONVICTED OF CERTAIN FELONY CRIMES WITHIN A FOUR-YEAR PERIOD IMMEDIATELY PRECEDING THEIR APPLICATION.**

Commissioner Barry moved the approval of a resolution urging the Board of Supervisors to amend Section 1089. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek, Smith **NOES:** None

Inspector Farrell Suslow, SFPD Taxi Detail gave the presentation.

PUBLIC COMMENT

- **Ruach Graffis:** Questioned why the Taxi Commission is imposing another four years of punishment if a person who committed a crime has served time in prison?
- **Tara Housman:** Charges are frequently reduced in court preceding, what about here at the Taxi Commission?

9. **HEARING AND DISCUSSION ON THE AUTHORITIES OF THE CITY AND COUNTY OF SAN FRANCISCO TO REQUIRE WORKERS' COMPENSATION BY TAXICAB COLOR SCHEME PERMITHOLDERS AND POSSIBLE APPROVAL OF A RESOLUTION URGING THE CALIFORNIA STATE LEGISLATION TO AMEND SECTION 4157 OF THE CALIFORNIA LABOR CODE, RELATING TO WORKERS' COMPENSATION.**

This item is being continued until the June 10, 2003 Commission hearing.

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek, Smith **NOES:** None

PUBLIC COMMENT

- **Mark Gruberg:** Cab companies are now required by a City ordinance to either have workers compensation or charge a lower gate fee, which went into effect May 1, 2003. It is the cab company's obligation to carry workers compensation if they want to charge the higher gate fee.

11. APPROVAL OF FINDINGS GRANTING REQUEST BY PHILIP H. WELCH, AMY L. WELCH AND THE ESTATE OF GEORGETTE WELCH

Commission Breslin moved the approval of the findings as written by Naomi Little, Executive Director. Commissioner Barry seconded the motion. Motion pass 4-1

AYES: Barry, Breslin, Paek, Smith
NOES: McGuire
RECUSED: Jackson, Gillespie

Phil Ward presented the case on behalf of the Welch.
Naomi Little presented the case on behalf of the Taxi Commission.
Inspector Farrell Suslow spoke on behalf of SFPD Taxi Detail.
Paul Zaresky, Deputy City Attorney, spoke on this case.

PUBLIC COMMENT

- **Ron Wolter:** Recommended the Commission not to approve the Welch's findings. He feels the decision made by the Commission on February 11, 2003 was not legal. The transfers are illegal because the permits should have been returned to the City.
- **Barry Taranto:** He submitted evidence regarding the donation received by President Jackson. The Welch findings are illegal because the vote should not have taken place. The vote should have been vacated. There are too many conflicts regarding the Welch vote.
- **Paul Harting, Yellow Cab Driver:** He wants the Commission to stop granting non-worker medallions. He feels the Welch case is political and the Commission should not grant the request.
- **Jim Kennedy:** He read a statement from Roberts Rules of Order, section 47 Votes that are Null and Void even if Unanimous. "No motion is in order that conflicts with the law of the nation, or state, or with the assembly's constitution or by-laws, and if such a motion is adopted, even by unanimous vote, it is null and void". Commissioner Jackson's vote should have been rescinded or declared Null and Void due to contributions received..
- **Mark Gruberg:** Informed the Commission just because the transfers were approved on 2/11/03 the Commission does not have to approve of the Welch findings. The original vote was invalid because Commissioner Jackson received campaign contributions. The Commission has no right to proceed because there was never a valid vote.
- **Tara Housman:** Suggested that the findings are contradictory in the facts regarding the Welch's request to add names and suggested not to approve.
- **Stephen Reimer, Cab Driver since March 1973, Medallion Holder, and stockholder at Yellow Cab:** He would benefit from the Welch case either way, but states the "cab driver" side of him disagrees with the Welch's receiving the medallions.
- **Andrew Lindemann:** In fairness to Georgette Welch, in 1977 no cab driver received any written notification of the rules of Proposition K. He feels the decision should stand and let the court handle this situation.
- **Ruach Graffis, UTW:** She states that Ms. Welch knew of the procedures in 1977. She feels that Ms. Welch did not want to pay the transfer fees to add her children's names to her medallions. The medallions should be returned to the City and distributed to cab drivers who have been waiting patiently on the medallion waiting list.

12. PUBLIC COMMENT

- **Stephen Reimers:** The Commission's job is to better serve the taxi industry. Drivers should be knowledgeable on the taxi industry prior to becoming a permit holder. He feels that Proposition K was designed to destroy Yellow Cab Company.
- **Al Lindeman:** Recommended making changes to Proposition K. Suggested putting Proposition K on the ballot to the voter. He feels it will stabilize the cab industry and will benefit the cab drivers.
- **Laurie Graham, Ramp Medallion 9039 at Yellow Cab:** Ramp vehicles are beat up and run down. The exception is to have one owner with one or two drivers. This will help to ensure the ramp taxi vehicles stay in service.
- **Barry Taranto:** The Commission failed to follow the agenda and he was no allowed to speak on items he had concerns over. Would like for informational bulletins to be put in different languages for all cab drivers to understand. The CPUC meeting is on June 5, 2003. Also suggested having information distributed in a timely manner.

- **Tara Housman:** Concerned about cab drivers knowledge of security camera use. Suggested having all cab drivers receive their own instruction manual. And having the driver acknowledge by signing that they have received instructions on operating the security camera. Would like to have more details on what the photos will be used for.

13. ADJOURNMENT

Adjourn at 11:00 p.m.

Respectfully submitted,

Sonya Banks
Commission Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXICAB COMMISSION
MAYOR WILLIE L. BROWN JR.

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6/10/03

ARTHUR JACKSON, PRESIDENT
PAUL GILLESPIE, VICE PRESIDENT
JACK BARRY, COMMISSIONER
PATRICIA BRESLIN, COMMISSIONER
MARY McGUIRE, COMMISSIONER
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TAXICAB COMMISSION AGENDA
REGULAR MEETING

June 10, 2003 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Minutes for the May 27, 2003 Taxicab Commission Meeting. [ACTION]
4. Approval of the Consent Calendar [ACTION]
5. Taxicab Commission Announcements & Requests to Calendar Items
6. Staff Report
7. Public Comment (Please limit public comment to items not on the agenda)
8. Hearing and Denial of Application for Medallion Holder Permit to Tony Dudum [ACTION]
9. Hearing and Approval of the Amendments to the Taxi Commission Hearing Procedure Guidelines (Proposed Guidelines) [ACTION]
10. Hearing and Discussion on the Authorities of the City and County of San Francisco to Require Workers' Compensation by Taxicab Color Scheme Permitholders and Possible Approval of a Resolution Urging the California State Legislation to Amend Section 4157 of the California Labor Code, Relating to Workers' Compensation [DISCUSSION AND POSSIBLE ACTION] (Proposed Legislation) (Continued from 5/27/03)
11. Adjournment

Taxicab Commission Agenda
Regular Meeting
June 10, 2003 6:30 PM
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of a Driver of Public Vehicle for Hire permit to:

Huseyin Akbana	Alexsandro Almeida	Sufyan Alsharif	Jalal Babili
Manuel Barros	James Bernhardt	Mustapha Bouhedda	Kevin Brownlee
Gildecy Dasilva	Tim Epstein	Yuriy Galashov	Amwar Ghanem
Leandro Guimaraes	Izzadeen Hamadneh	Brian Hart	Mamdouh Hassan
Ronald Holland	Sanddep Israni	Jasvinder Jolly	Yuriy Kegulskiy
Farouk Khan	Mobolaji Kudehinbu	Raj Kumar	Christian Lima
Yuriy Malnev	Charles Mbara	Chanim Mohamed	Lara Monroe
Demian Mouton	Alexander Nafman	Yefim Oksengdler	Rafael Pizarro
Nathan Pontious	Noureddine Rouchi	Aladdin Salah	Johnny Sandoval
Barkwende Sawadogo	Dhiraj Sharma	Petr Teteriatnikov	Mongi Troudi
Ernest Vano	Abdallah Yassin		

B. Recommendation of the Police Taxicab Detail for approval of a Taxicab Medallion Holder permit to:

	Medallion Holder	Medallion #	Color Scheme
1.	Norma Geer	485	Yellow Cab
2.	Robert Haroutunian	480	Yellow Cab
3.	Jamshid Khajvandi	481	Yellow Cab
4.	To Lam	483	Yellow Cab
5.	Dominic Rodrigues	484	Luxor Cab
6.	Emad Shehadeh	172	Luxor Cab
7.	Mostafa Golam Syed	179	Luxor Cab
8.	Steven Szerencsi	482	Yellow Cab

C. Recommendation of the Police Taxicab Detail for approval of a Ramp Taxicab Medallion Holder permit to:

	Medallion Holder	Medallion #	Color Scheme
1.	Raed Sweis	9007	Luxor Cab

D. Recommendation of the Police Taxicab Detail for approval of Taxicab Color Scheme changes to, (Approval is conditional upon the applicants submitting insurance certification indicating appropriate coverage to operate under the new Color Scheme, notification to the Taxi Detail of the Specific Date of change and that such change be completed within twenty-one days of Commission Approval):

	Medallion Holder	Cab #	Change
1.	Thomas Bell	238	Luxor Cab to American Taxi
2.	KKL Cab Co.	432	United Cab to Bay Cab

Taxicab Commission Agenda
Regular Meeting
June 10, 2003 6:30 PM
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

NOTICE

This is not an agenda item for this meeting, but serves as a public notice

1. Special 10-Day Notice for June 24, 2003 Taxi Commission Meeting
Hearing and Possible Approval of Amendment to Commission Rule 5.G.2.d Regarding Smog Inspections of Taxicab Vehicles. [ACTION]

2. The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the June 24, 2003 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER:
Mohd A. Kashim
Howard Leeder
Dennis Korkos

RAMPED TAXICAB PERMIT HOLDER:
Berhanu Dilenssaw
Quang Quach

NEW COLOR SCHEME:
ABC Taxi (Yellow Body, Blue Fenders)

COLOR SCHEME CHANGES:

	Medallion Holder	Cab #	Change
1.	*Daryoush Amirehsani*	*9026*	*National Cab to Luxor Cab*
2.	*Berhane Assefa*	*332*	*Yellow Cab to ABC Taxi*
3.	*Bud Fong*	*340*	*Big Dog Cab to Fog City Cab*
4.	*Howard Mock Jew*	*443*	*Friendly Cab to Bay Cab**
5.	*Bayshore Cab Co.*	*298*	*Bayshore Cab to Royal Taxi***

** The change of this cab from Friendly will coincide with the closure to the Friendly Cab Taxicab Color Scheme.*
*** The change of this cab from Bayshore will coincide with the closure to the Bayshore Cab Taxicab Color Scheme.*

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers.

Copies of the commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm.

(Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

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Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact Sonya Banks
at (415) 554-3940, at least 72 hours prior to the meeting. Late requests will be honored if possible.

Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact Sonya Banks at (415) 554-3940, at least 72 hours prior to the meeting. Late request will be honored if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities may call Sonya Banks at (415) 554-3940 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90. For information about MUNI accessible services, call (415) 923-6142.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall, Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 234, by phone at (415) 554-7724, by fax at (415) 554-5163 or by e-mail at Donna_Hall@ci.sf.ca.us
Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Donna Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

SAN FRANCISCO LOBBYIST ORDINANCE

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Admin. Code §16.520-16.534] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102, telephone (415) 554-9510, fax (415) 703-0121 and web site http://www.ci.sf.ca.us/ethics/

WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

CITY AND COUNTY OF
SAN FRANCISCO

TAXICAB COMMISSION
MAYOR WILLIE L. BROWN, JR.

ARTHUR M. JACKSON, PRESIDENT
PAUL GILLESPIE, VICE PRESIDENT
JOHN BARRY, COMMISSIONER
PATRICIA BRESLIN, COMMISSIONER
MARY McGUIRE, COMMISSIONER
MIN PAEK, COMMISSIONER
MARTIN SMITH, COMMISSIONER

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MINUTES

Commission Chambers – Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
June 10, 2003
6:30 PM

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Regular Meeting

PRESENT: Jackson; Gillespie; Barry; Breslin; McGuire; Smith

ABSENT: Paek

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:30 PM

STAFF IN ATTENDANCE: Naomi Little, Executive Director; Sonya Banks; Cynthia Kang - Taxicab Commission; Captain Thomas O'Neill, Lieutenant Jeanne Schlotz, Sergeant Vince Simpson, Officer Cynthia Kulstad – Taxicab Detail

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL – The Roll Call showed a quorum was present.**

3. **APPROVAL OF THE MINUTES FOR THE MAY 27, 2003 TAXICAB COMMISSION MEETING**

Commissioner Gillespie moved the minutes be approved. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Smith **ABSENT:** Paek
NOES: None

PUBLIC COMMENT

- **Peter Witt:** Thanked Bowman Leong for serving on the Commission. Wanted to know what was the clerical error in the Welch case.

4. **APPROVAL OF THE CONSENT CALENDAR**

A - Driver of Public Vehicle for Hire Permit
B5-7 - Taxicab Medallion Holder Permit
C - Ramp Taxicab Medallion Holder Permit
D - Taxicab Color Scheme Changes

Commissioner Breslin moved to approve Consent Calendar items 4A, 4B5-7, 4C and 4D. Commissioner Gillespie seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Smith **RECUSED:**
NOES: None **ABSENT:** Paek

B1-4 and 8 – Taxicab Medallion Holder Permit

Commissioner Breslin moved to approve Consent Calendar items 4B1-4 and 8. Commissioner Barry seconded the motion.

AYES: Barry, Breslin, McGuire, Smith **RECUSED:** Jackson, Gillespie
NOES: None **ABSENT:** Paek

5. TAXICAB COMMISSION ANNOUNCEMENTS & CALENDAR ITEMS

Commissioner Gillespie: Congratulated the new medallion holders. Informed the public there is a new taxi stand at Haight and Masonic streets. Encouraged the taxi drivers to use this taxi stand. Responded to Commissioner Smith's Paratransit statement.
Commissioner Breslin: Has difficulty with Commissioner's recusals.
Commissioner Smith: 1) Request to calendar a discussion on changing the age limit of vehicles from three years to five years. And new vehicles having a four-year life with one additional year as a spare vehicle. 2) Schedule a meeting with Mary Ellen O'Brien of DPT, Taxi Detail, regarding drive-away tickets. 3) Would like to see Paratransit standardize the rules regarding the collection and reimbursement of script.
Commissioner Barry: A national distributor with the rights to London taxis will be previewing the taxi in San Francisco late September, early October. Anyone with comments on the London taxi is advised to contact himself or the Taxi Commission Office.

PUBLIC COMMENT

- **Henry Kim:** Paratransit should collect from each Color Scheme and not the Dispatch. He will provide to the Commissioners information on how paratransit script works presently.
- **Barry Taranto:** Muni needs to be included at the DPT meeting. Muni is not aware of where taxis can pick up.
- **Peter Witt:** Taxi reform was done five years ago. There should be a hot line for whistle blowers on vehicle safety. London Taxis might not be able to handle the abuse. The new commissioners do not understand Proposition K. There is a need for more than just one new taxi stand.

6. STAFF REPORT

Naomi Little, Executive Director: 1) Moscone West taxi stand will be available around the clock. 2) The California Public Utilities Commission withdrew the order to dismiss the rule making on prearranged transportation.3) The Board of Appeals upheld the Commission's decision on the revocation of medallion #1181 held by Lando Siu.

PUBLIC COMMENT

- **Peter Witt:** Thanked former Commissioner Leong for starting the inquiry into the limousine problems. And Naomi Little, Executive Director for following up on the limousine issues.

7. PUBLIC COMMENT

- **Vad Shamis, Ramped Taxi Driver:** Request to be reinstated on the ramped taxi medallion waiting list.
- **Barry Taranto:** 1) Pac Bell Park taxi stand is not operating correctly. 2) Asked Commissioner Breslin to spend time at the hotels to observe the limousine/doormen problems. Commissioner Jackson requested to be included in observing the hotels. 3) Questioned the morals and ethics of the Commissioners.
- **Mark Gruberg:** At the last commission hearing there were two drivers who wanted to testify on the Welch matter but were denied entrance into City Hall building. He states drivers should be reinstated back onto the ramp taxi waiting list.
- **Berhane Assefa:** Ramp taxi waiting list drivers who have been denied should be reinstated to the list.
- **Peter Witt:** Limousines without lights on the back of license plates should be fined. Presented his surveyed on

the taxi industry.

8. HEARING AND DENIAL OF APPLICATION FOR MEDALLION HOLDER PERMIT TO TONY DUDUM

Executive Director Little announced that Mr. Dudum has hired an attorney and requested a continuance. Director Little has rescheduled this item to the next Commission meeting on June 24, 2003.

9. HEARING AND APPROVAL OF THE AMENDMENTS TO THE TAXI COMMISSION HEARING PROCEDURE GUIDELINES

Motion 1: Commissioner Breslin moved the approval of the hearing procedure with the amendment to include if Taxi Detail recommends revocation concerning public safety issues and Proposition K that these cases come before the Commission, and if Taxi Detail recommendation is less than revocation those cases go before the hearing officer. Commissioner Barry seconded the motion for discussion. Commissioner Breslin withdrew her motion.

Motion 2: Commissioner Gillespie moved to endorse a hearing officer to hear taxi commission disciplinary cases and to determine at the next meeting what case would go before the hearing officer and what are the procedures. At the next Commission hearing the Commissioner will decide what case would go before the hearing officer. Commissioner Barry seconded the motion. . Motion passes 5-1

Tom Owen, Deputy City Attorney gave a presentation.

AYES: Jackson, Gillespie, Barry Breslin, Smith **ABSENT:** Paek
NOES: McGuire

PUBLIC COMMENT

- **Barry Taranto:** All revocation cases should go before the Taxi Commissioners. The DPT hearing officer might be bias to cab drivers. Suggested using the CPUC hearing officers. The procedures for the appeal process needs clarifying.
- **Tara Housman:** Likes the concept of a hearing officer but not DPT. Would like a list of the hearing officers made public and what training was provided.
- **Captain Tom O'Neill, S.F.P.D. Taxi Detail:** Have had experience in working with hearing officers in employee relations. The arbitrator needs to be educated on the rules and regulations of the taxi industry.
- **Mark Gruberg:** He appreciates the reason for having a hearing officer. Would like comments from members of the public to be included. Suggested in some serious cases it should come before the Taxi Commissioners.
- **Peter Witt:** Thanked Naomi Little for moving forward in obtaining a hearing officer for the taxi industry.
- **Ruach Graffis, United Taxicab Workers:** Drivers need to have notification in writing of their hearings in a timely manner. Translators should be made available or drivers may bring their own if needed. Need to have an automatic right to appeal.

10. HEARING AND DISCUSSION ON THE AUTHORITIES OF THE CITY AND COUNTY OF SAN FRANCISCO TO REQUIRE WORKERS' COMPENSATION BY TAXICAB COLOR SCHEME PERMITHOLDERS AND POSSIBLE APPROVAL OF A RESOLUTION URGING THE CALIFORNIA STATE LEGISLATION TO AMEND SECTION 4157 OF THE CALIFORNIA LABOR CODE, RELATING TO WORKERS' COMPENSATION

Commissioner Barry moved the approval of the resolution to amend section 4157. Commissioner Breslin seconded the motion. Motion withdrew. Commissioner Breslin moved to compare Bill 1407 prior to making a decision.

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Smith **ABSENT:** Paek
NOES: None

Tom Owen, City Deputy Attorney gave a presentation.

PUBLIC COMMENT

- **Jim Gillespie, DeSoto Cab:** It is difficult to acquire workers compensation. DeSoto Cab Company carries workers compensation on their employees. Declared cab drivers as independent contractors.
- **Henry Kim, San Francisco Taxi Association:** The workers compensation system is completely broken. Any smart company would carry worker compensation especially in San Francisco.
- **Ruach Graffis:** The taxi industry needs workers compensation. Would like the Commission to make sure all cab companies carry workers compensation and post their gate fees.
- **Barry Taranto:** Wanted to know what cab companies were in compliance? The Commission should determine what the long-term lease fees should be?
- **Mark Gruberg:** Cab drivers have a right to be suspicious about workers compensation. Most cab companies have not provided proof of workers compensation.

11. ADJOURNMENT

Adjourn at 9:05 p.m.

Respectfully submitted,

Sonya Banks
Taxi Commission Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXICAB COMMISSION
MAYOR WILLIE L. BROWN JR.

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6/24/03

ARTHUR JACKSON, PRESIDENT
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TAXICAB COMMISSION AGENDA
REGULAR MEETING

June 24, 2003 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Minutes for the June 10, 2003 Taxicab Commission Meeting. [ACTION]
4. Approval of the Consent Calendar [ACTION]
5. Taxicab Commission Announcements & Requests to Calendar Items
6. Staff Report
7. Public Comment (Please limit public comment to items not on the agenda)
8. Hearing and Approval of Rescinding the Taxi Commission Resolution #2001-104 Circumstances of Reinstating a Person to the Ramp Taxi Waiting List. [ACTION] (Memo)
9. Hearing and Approval of the Amendments to the Taxi Commission Hearing Procedure Guidelines (Proposed Guidelines) [ACTION] (Continued from 6/10/03)
10. Hearing and Possible Approval of Amendment to Taxi Commission Rule 5.G.2.d Regarding Smog Inspections of Taxicab Vehicles. [ACTION] (Memo from SFPD Taxi Detail)
11. Hearing and Possible Suspension or Revocation of Color Scheme Permit dba 49er Cab Company Held by Abdul Bashir Rahimi [ACTION]
12. Adjournment

Taxicab Commission Agenda
Regular Meeting
June 24, 2003 6:30 PM
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of a Taxicab Medallion Holder permit to:

	Medallion Holder	Medallion #	Color Scheme
1.	Mohd A. Kashim	412	Desoto Cab Co.
2.	Dennis Korkas	486	Yellow Cab Co.
3.	Howard Leeder	1240	Yellow Cab Co.

B. Recommendation of the Police Taxicab Detail for approval of a Ramp Taxicab Medallion Holder permit to:

	Medallion Holder	Medallion #	Color Scheme
1.	Berhanu Dilenssaw	9024	Desoto Cab Co.
2.	Quang Quach	9016	Regents Cab Co.

C. Recommendation of the Police Taxicab Detail for approval of Taxicab Color Scheme changes to, (Approval is conditional upon the applicants submitting insurance certification and including workers' compensation indicating appropriate coverage to operate under the new Color Scheme, notification to the Taxi Detail of the Specific Date of change and that such change be completed within twenty-one days of Commission Approval):

	Medallion Holder	Cab #	Change
1.	Bayshore Cab Corp.	298	Bayshore Cab to Royal Cab *
2.	Daryoush Amirehsani	9026	National Cab to Luxor Cab
3.	Berhane Assefa	332	Yellow Cab to ABC Taxi
4.	Howard Mock Jew Inc.	443	Friendly Cab to Bay Cab *
5.	Bud Fong	340	Big Dog to Fog City Cab

*Note, these changes will coincide with the closure of these Color Schemes

D. Recommendation of the Police Taxicab Detail for approval of a Color Scheme Holder Permit to Berhane Assefa to operate ABC Taxi *(Yellow Body, Blue Fenders)*.

NOTICE

This is not an agenda item for this meeting, but serves as a public notice

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the June 24, 2003 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER:
None

RAMPED TAXICAB:
Tekle Mekbeb
Ahmad Albowyha

Taxicab Commission Agenda
Regular Meeting
June 24, 2003 6:30 PM
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

COLOR SCHEME CHANGES:

	Medallion Holder	Cab #	Change
1.	*Micheal Wilson*	*1112*	*National Cab to Metro Cab*
2.	*James A. Maddox*	*733*	*Big Dog to Metro Cab*
3.	*Maxmillian David*	*960*	*Luxor Cab to Worldwide*
4.	*Eagle Taxi Cab Inc.*	*287,288,289,290*	*Diamond Cab to Bay Cab**
5.	*Robert Hendriquez*	*894*	*Diamond Cab to Bay Cab**
6.	*McCoppin Street Inc.*	*294, 295, 296*	*Diamond Cab to Bay Cab**
7.	*CW Transportation*	*458, 459*	*Diamond Cab to Bay Cab**

** These changes from Diamond Cab will coincide with the closure of the Diamond Cab Taxicab Color Scheme.*

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers.

Copies of the commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm.

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CITY AND COUNTY OF
SAN FRANCISCO

TAXICAB COMMISSION
MAYOR WILLIE L. BROWN, JR.

ARTHUR M. JACKSON, PRESIDIENT
PAUL GILLESPIE, VICE PRESIDENT
JOHN BARRY, COMMISSIONER
PATRICIA BRESLIN, COMMISSIONER
MARY McGUIRE, COMMISSIONER
MIN PAEK, COMMISSIONER
MARTIN SMITH, COMMISSIONER

23
2
12/24/03

MINUTES

Commission Chambers – Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
June 24, 2003
6:30 PM

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Regular Meeting

PRESENT: Jackson; Gillespie; Barry; Breslin; Paek; McGuire; Smith

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:30 PM

STAFF IN ATTENDANCE: Naomi Little, Executive Director; Sonya Banks; Cynthia Kang - Taxicab Commission; Captain Thomas O'Neill, Sergeant Vince Simpson, Inspector Farrell Suslow, Officer Cynthia Kulstad – Taxicab Detail

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL – The Roll Call showed a quorum was present.**

3. **APPROVAL OF THE MINUTES FOR THE JUNE 10, 2003 TAXICAB COMMISSION MEETING**

Commissioner Gillespie moved the minutes be approved. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Barry, McGuire, Paek, Smith
NOES: None

PUBLIC COMMENT

- **Peter Witt:** Concerned that minutes did not reflect the surveys he conducted.

4. **APPROVAL OF THE CONSENT CALENDAR**

A2 and 3) Taxicab Medallion Holder Permit and C3) Taxicab Color Scheme Changes

Motion passes 4-0

AYES: Barry, McGuire, Paek, Smith
NOES: None
RECUSED: Jackson, Gillespie

PUBLIC COMMENT

- **Peter Witt:** Why does the driver representative have to recuse himself on Consent Calendar item C3?
- **Stephen Reimers:** The individuals on the Consent Calendar were once ramp drivers. They served the ramp program very well.

C2) Taxicab Color Scheme Changes

Motion passes 4-0

AYES: Gillespie, Barry, Paek, Smith
NOES: None
RECUSED: Jackson, McGuire

A1) Taxicab Medallion Holder Permit; B) Ramp Taxicab Medallion Holder Permit; C 1,4, 5) Taxicab Color Scheme Changes and D Color Scheme Holder Permit

Motion passes 7-0

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek, Smith
NOES: None

PUBLIC COMMENT

- **Peter Witt:** He wanted to know if Friendly Cab and Bayshore Cab Company were going out of business?

5. TAXICAB COMMISSION ANNOUNCEMENTS & REQUESTS TO CALENDAR ITEMS

Commissioner Gillespie: Congratulated the new medallion holders.
Commissioner Smith: Would like to see taxi stands at 24th & Mission St; 16th & Mission St.; 8th & Market St.; Powell/Market St.; Montgomery/Market St.; and the Embarcadero to take the onslaught of BART riders to SFO.
Commissioner Barry: At the "Call of the Chair" would like to do a public relations campaign to promote the taxi industry in lieu of BART going to the airport.
Commissioner Breslin: Supports Commissioner Barry's suggestion regarding the need for a public relations campaign. Wanted to know if the taxi wrap funds could be used for the public relations campaign? Sergeant Simpson, Taxi Detail, has arranged for some of the Commissioners to inspect the limousine situation at various hotels.
Commissioner McGuire: Thanked the Taxi Commission staff for their investigation of Tony Dudum's Medallion Holder Permit application. Requested at the "Call of the Chair" 1) A report by staff of the costs and time needed to conduct this investigation and research if there should be a cost recovery for the investigation. 2) A staff report and update on the various components of Supervisor Ammiano's legislation that involved raising the meter rates and average gates. 3) How the Taxi Commission and the Board of Supervisors will determine what gate structure those companies with long-term arrangements are using for compliance with the requirements of the Ammiano legislation in regard to workers' compensation and financial statements.

PUBLIC COMMENT

- **Peter Witt:** Thanked Commissioner Barry for recommending the public relations campaign. Suggested the Commission focus on taxi stands in the downtown area. Recommended the Commissioners do their limousine investigation on Friday or Saturday. Would like the Commissioner to review the reports he sent to the Public Utilities Commission.

6. STAFF REPORT

Naomi Little, Executive Director: 1) The Commission staff will be meeting with the Department of Parking and Traffic regarding the taxi stands and BART; 2) After receiving the financial report from the Controller's office, the Taxi Commission will be asking for restitution from those cab companies who have been charging higher gates; 3) On June 18, 2003 the Board of Appeals upheld the Commission's decision to revoke the Driver Public Passenger Vehicle for Hire Permit held by Ali Hzami and overturned the Commission's decision to revoke Medallion Holder Permit No. 52 held by Querida Rivera.

PUBLIC COMMENT

- **Peter Witt:** Instead of the Commission asking for restitution from violators there should be penalties on fraudulent cases.
- **Ruach Graffis:** the Mayor and the Board of Supervisors appointed The Board of Appeals staff. She was at the Board of Appeals meeting on June 18th and was disappointed by their decision.

7. **PUBLIC COMMENT**

- **Barry Taranto:** He believes the taxi industry is being rape. The daytime taxi drivers are getting violated everyday by the limousine drivers who are stealing the taxi industry's business. Is happy that Commissioners Jackson and Breslin will be touring the hotels to investigate the doormen/limousine situation. Suggested keeping an eye on BART at the airport. Need solutions for the taxi stand at Pac Bell Park.
- **Stephen Reimers:** It is difficult to have a seniority clause on the medallion waiting list. Suggested having a test of knowledge before receiving a medallion. Would like the Commission to draft improvements to Proposition K. There is a need for dedicated ramp taxi drivers.
- **Richard Stypmann:** Suggested if the Commission is not satisfied with the Board of Appeals decision, they should write a written mandate or action dismissal.
- **Ruach Graffis:** SPUR will be having a citizen advisory board about urban planning to be held on Friday, July 27, 2003 from 9am–4pm. The cost is $50.00 for members, the phone # 781-8726 x112 or email: JSWENERTON@spur.org - Next month there will be a series of labor celebrations. Cab and transit drivers will have their swap story night on July 23rd at 777 Valencia Street.
- **Dominic Rodriguez:** Recommended that limousine drivers carry the names of passengers they are to pick up displayed in the vehicle. The City gave Yellow Cab six ramp taxis and the program failed. The media gave wrong information on the taxi fare to the airport.
- **Peter Witt:** Agrees with Mr. Rodriquez's statements. He thought driving a limousine would be boring, but now driving a cab is a boring job. In 1998, he started his customer surveys and asked Commissioners McGuire and Gillespie, the UTW, and KLA to participate and cross check information. No one cared.
- **Jim Gillespie, General Manager-DeSoto Cab:** Informed Taxi Detail of a limousine/doormen situation in the Fisherman's Wharf area. Commended Taxi Detail for their follow up and response time after reporting the incident at Fisherman's Wharf.
- **Mostafa Syed:** All medallion holders should carry workers' compensation and it should be enforced. Would like the Commission to help with the limousine problems.
- **Henry Kim, S.F. Taxi Association:** Responding to Mostafa Syed's comment, you can't compel a company to carry workers' compensation; they can operate but can't charge the higher gate fee. Would like for the Commission to look into the workers' compensation problems.
- **Tony Lee:** Suggested making an agreement with the hotel industry regarding the limousine problems. Recommended posting a sign at the hotel with a $30.00 flat rate for a taxi ride from downtown to SFO.
- **Gudu Aculbaki, Yellow Cab:** A doormen was caught giving a fare to a limousine driver and nothing happened to the doormen. The insurance liability is outrageous.

8. **HEARING AND APPROVAL OF RESCINDING THE TAXI COMMISSION RESOLUTION #2001-104 CIRCUMSTANCES OF REINSTATING A PERSON TO THE RAMP TAXI WAITING LIST.**

Commissioner Barry moved the approval of rescinding resolution #2001-104 on Circumstances of Reinstating a Person to the Ramp Taxi Waiting List. All ramp medallion eligibility notices will be sent by certified mail including those that did not respond to the initial 2001 letter when their name comes up. If you fail to respond to the certified mail your name will be taken off the list unless the applicant demonstrates exigent circumstances or if lack of notice was not caused by failure to provide change of address. (i.e. That person did not notify Taxi Detail or the Taxi Commission of a change of address) Commissioner Breslin seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek, Smith
NOES: None

Inspector Farrell Suslow, S.F.P.D. Taxi Detail spoke on behalf this item.

PUBLIC COMMENT

- **Laurie Graham, Yellow Cab, Ramp Medallion 9039:** Has no problem with reinstating a driver to the ramp waiting list only if they are currently driving a ramp taxi.
- **Tara Housman:** She had concerns with the "wording" in the letter that was sent out in 1998 being clear and understandable for prospective ramp drivers.
- **Stephen Reimers:** Need qualified ramp taxi drivers. This is the best City to drive a taxicab.
- **Barry Taranto:** Applaud the Taxi Commission staff for bringing up the issue of reinstatement to the ramp waiting list.
- **Berhane Assefa:** If the driver is willing to service the disabled community, they should be reinstated back onto the ramp taxi waiting list.
- **Peter Witt:** There are two major companies that operate the ramp taxi vehicles. He believes if the applicant did not send in the refusal letter the applicant should remain on the ramp taxi waiting list. Is there a need for more ramp taxis?
- **Chuffa Tesfaye:** He was rejected by the Taxi Commission to be reinstated back on the ramp taxi waiting list. Drivers who are willing to invest their time and experience to the disabled community should be reinstated.
- **Gudu Aculbaki:** The Taxi Commission should not revisit reinstating applicant back onto the waiting list. Suggested having the disabled community select which ramp cab drivers desire the ramp medallions.

9. HEARING AND APPROVAL OF THE AMENDMENTS TO THE TAXI COMMISSION HEARING PROCEDURE GUIDELINES.

Commissioner Barry moved to 1) adopt the procedures with a technical amendment to changing section I.B. to change first class mail to certified mail and 2) review hearing procedures within one year which does not eliminate the option to review prior to the one year date. Commissioner Breslin seconded the motion. Motion passes 6-1

AYES: Jackson, Gillespie, Barry, Breslin, Paek, Smith
NOES: McGuire

Terry Moran, Director of Hearing Division of the Department of Parking & Traffic, spoke on behalf of this item.

PUBLIC COMMENT

- **Tara Housman:** In order to properly inform the drivers of their disciplinary hearing the notices should be sent by certified mail. She believes a 2/3 vote is not necessary. Suggested having a "change of address" form available at the time of A-card renewal.
- **Richard Stypmann:** It will be a nightmare if the Commission decides to use Department of Parking and Traffic hearing officers. Recommended not adopting the hearing officer.
- **Barry Taranto:** Believes the case should be expedited. What type of cases will the hearing officer review? DPT is recommending Jim Hodges as the hearing officer for the taxi industry.
- **Stephen Reimer:** Cases should be brought before the Taxi Commission as soon as possible. In favor of DPT hearing officer.
- **Jim Gillespie, DeSoto:** Agrees with having a DPT officer and the Commission may still have the opportunity to review the disciplinary review cases.
- **Peter Witt:** Would like the process streamlined. The Commission has not done much to improve the taxi industry.
- **Ruach Graffis, United Taxicab Workers:** It is appropriate to have to 2/3 votes to overturn the Executive Director's decision. The applicant brought before the hearing officer should be notified that they have the right to an interpreter.

10. HEARING AND POSSIBLE APPROVAL OF AMENDMENT TO TAXI COMMISSION RULE 5.G.2 REGARDING SMOG INSPECTIONS OF TAXICAB VEHICLES.

Commissioner Gillespie moved the approval to amend Rule 5.G.2 (f) to state, "the above certificates with the exception of the certificates reference in sub paragraph (d) must be dated within sixty (60) days". Commissioner Barry seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek, Smith
NOES: None

Inspector Farrell Suslow, S.F.P.D. Taxi Detail presented this case.

PUBLIC COMMENT

- **Jim Gillespie:** Supports recommendation to amend the smog inspection for taxicabs.
- **Richard Hybels:** Urged the Commission to drop the smog inspections; it is a waste of money.
- **Henry Kim:** The San Francisco Taxi Association strongly urges the Commission to approve this amendment.
- **Ruach Graffis:** Questioned if smog checks were done every year or every other year? Suggested the DMV smog certificate be done every year because some taxicabs reach 100,00 mile a year.

11. HEARING AND POSSIBLE SUSPENSION OR REVOCATION OF COLOR SCHEME PERMIT DBA 49ER CAB COMPANT HELD BY ABDUL BASHIR RAHIMI.

This item is being continued until July 22, 2003.

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek, Smith
NOES: None

PUBLIC COMMENT

* **Richard Stypmann:** Representing Abdul Bashir Rahimi of 49er Cab Company.

12. ADJOURNMENT

Adjourned at 9:35 p.m.

Respectfully submitted,

Sonya Banks
Commission Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXICAB COMMISSION
MAYOR WILLIE L. BROWN JR.

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7/8/03

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PAUL GILLESPIE, VICE PRESIDENT
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MARY McGUIRE, COMMISSIONER
MIN PAEK, COMMISSIONER
MARTIN SMITH, COMMISSIONER

NAOMI M. LITTLE, EXECUTIVE DIRECTOR

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JUL - 7 2003

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TAXICAB COMMISSION AGENDA
REGULAR MEETING

July 8, 2003 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Minutes for the June 24, 2003 Taxicab Commission Meeting. [ACTION]
4. Approval of the Consent Calendar [ACTION]
5. Taxicab Commission Announcements & Requests to Calendar Items
6. Staff Report
   a. Update on Senate Bill 1407: Workers' Compensation (Approved by the Governor September 25, 2002)
7. Public Comment (Please limit public comment to items not on the agenda)
8. Hearing and Possible Approval of a Resolution Supporting Assembly Bill 299 to Amend the Public Utilities Commission's General Order Code 157-C Prohibiting Charter Party Carriers Advertising as Taxicabs [ACTION] (AB 299 and Legislative Analysis)
9. Hearing to Determine Whether to Support the Planning Department's Recommendation to Prohibit Right Turns from Market Street onto the New Freeway On-Ramp at Octavia. (Due to the volume of documents, copies will be available at the Taxi Commission office or online at www.betterneighborhoods.org at the Market & Octavia Neighborhood Plan)
10. Adjournment

Taxicab Commission Agenda
Regular Meeting
July 8, 2003 6:30 PM
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of a Driver of Public Vehicle for Hire permit to:

Jeffrey Abrantes	Redner Araujo	Vernon Bass	Mimi Begun
Rogerio Candiotto	Eduardo Canedo	Sergio Cantoli	Lancisio Caixeta
Patricia Cochran	Rosana Dealmeida	Elias Demissie	Sekhar Dhungel
Ihsan Elouafi	Karoly Farkas	Stanislavs Gorenko	Riaz Gul
Hannu Hanhivaara	Eric Holland	Mohamed Khaldi	Kanishka Kohzad
Sunny Kong	Aleksandr Kukava	Levan Kukava	Robert Levy
Luann Jennifer Li	Matthew Liang	Yat Low	Ricardo Lucha, Jr.
Rodolfo Machado	Buenaventura Malabanan		Phu Mao
Charles Matos	Attila Milkos	Laurie Naumann	Yuri Neishtadt
Vitaliy Nevidomy	Richard Perina	Michael Peters	Alexandre Piardi
James Powell	Lester Sawday	Austin Shenefield	Leonid Shkolnik
Balvir Singh	Danielle Stevens	Dionisio Tabaloc	Paul Tai
Karl Welt	William White	Theresa Wilson	

B. Recommendation of the Police Taxicab Detail for approval of a Ramp Taxicab Medallion Holder permit to:

	Medallion Holder	Medallion #	Color Scheme
1.	Tekle Mekbeb	9025	Regents
2.	Ahmad Albowyha	9010	Yellow

C. Recommendation of the Police Taxicab Detail for approval of Taxicab Color Scheme changes to, (Approval is conditional upon the applicants submitting Liability and Worker's Compensation insurance certification indicating appropriate coverage to operate under the new Color Scheme, notification to the Taxi Detail of the Specific Date of change and that such change be completed within twenty-one days of Commission Approval):

	Medallion Holder	Cab #	Change
1.	Michael Wilson	1112	National Cab to Metro Cab
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3.	Maxmillian David	960	Luxor Cab to Worldwide
4.	Eagle Taxi Cab Inc.	287,288,289,290	Diamond Cab to Bay Cab*
5.	Robert Hendriquez	894	Diamond Cab to Bay Cab*
6.	McCoppin Street Inc.	294, 295, 296	Diamond Cab to Bay Cab*
7.	CW Transportation	458, 459	Diamond Cab to Bay Cab*

* These changes from Diamond Cab will coincide with the closure of the Diamond Cab Taxicab Color Scheme.

Taxicab Commission Agenda
Regular Meeting
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Special 10-Day Notice for July 22, 2003 Taxi Commission Meeting

1. Hearing and Possible Approval of an Amendment to the Taxi Commission Rules and Regulations Regarding the Use of Hands Free Cell Phones.

2. Hearing and Possible Approval of an Amendment to the Taxi Commission Rules and Regulations Regarding Lamp Certificates Required During Taxi Cab Vehicle Inspections.

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the July 22, 2003 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER:
None

RAMPED TAXICAB:
Alan Do

COLOR SCHEME CHANGES:

	Medallion Holder	Cab #	Change
1.	*Lu Lam*	*879*	*Regents Cab to Bay Cab*
2.	*Alan Lee*	*9066*	*Luxor Cab to Fog City Cab*
3.	*Murai*	*1224*	*Luxor Cab to Yellow Cab*
4.	*Raed Sweiss*	*9007*	*Luxor Cab to B & W Checker*

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CITY AND COUNTY OF
SAN FRANCISCO

TAXICAB COMMISSION
MAYOR WILLIE L. BROWN, JR.

ARTHUR M. JACKSON, PRESIDIENT
PAUL GILLESPIE, VICE PRESIDENT
JOHN BARRY, COMMISSIONER
PATRICIA BRESLIN, COMMISSIONER
MARY McGUIRE, COMMISSIONER
MIN PAEK, COMMISSIONER
MARTIN SMITH, COMMISSIONER

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7/8/03

MINUTES

Commission Chambers – Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
July 08, 2003
6:30 PM

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Regular Meeting

PRESENT: Jackson; Gillespie; Barry; Breslin; Paek; McGuire; Smith

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:30 PM

STAFF IN ATTENDANCE: Naomi Little, Executive Director; Sonya Banks; Cynthia Kang - Taxicab Commission; Captain Thomas O'Neill, Sergeant Vince Simpson, Inspector Farrell Suslow – Taxicab Detail

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL – The Roll Call showed a quorum was present.**

3. **APPROVAL OF THE MINUTES FOR THE JUNE 24, 2003 TAXICAB COMMISSION MEETING**

Commissioner Gillespie moved the approval of the minutes with corrections. Commission Smith seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek, Smith **NOES:** None

PUBLIC COMMENT

- **Peter Witt:** Questioned why his submission of evidence where omitted from the minutes.

4. **APPROVAL OF THE CONSENT CALENDAR**

Commissioner Gillespie requested to sever B1, 2 and C1, 4-7.

A. Driver of Public Vehicle for Hire Permit

A Commissioner Gillespie moved the approval item A. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek, Smith **NOES:** None

PUBLIC COMMENT

- **Barry Taranto:** Request to sever items.
- **Peter Witt:** Cab companies are going out of business thanks to the Board of Supervisors who approved higher gates and rates. Ramp taxi program not working.

B. Ramp Taxicab Medallion Holder Permit

B.1. Commissioner Smith moved the approval of B1. Commissioner Gillespie seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek, Smith **NOES:** None

B.2. Commissioner Breslin moved the approval of B2. Commissioner Barry seconded the motion.

AYES: Barry, Breslin, McGuire, Paek, Smith **RECUSED:** Jackson, Gillespie
NOES: None

C. Taxicab Color Scheme Changes

Inspector Farrell Suslow, SFPD Taxi Detail answered questions from the Commissioners on this item.

C.1. Commissioner Gillespie moved the approval of C1. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, Paek, Smith **RECUSED:** McGuire
NOES: None

C.2., 3. Commissioner Gillespie moved the approval of C2, 3. Commissioner Breslin seconded the motion.

AYES: Gillespie, Barry, Breslin, McGuire, Paek, Smith **RECUSED:** Jackson
NOES: None

C.4.-7. Commissioner Smith moved the approval of C4-7. Commissioner Barry seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek, Smith **NOES:** None

PUBLIC COMMENT

- **Barry Taranto:** Thanked the Commissioners for their discussion on the severing items on the Consent Calendar. Concerned about the long-term leases at Bay Cab. Suggested monitoring Bay Cab to make sure they provide workers' compensation for all their drivers and that they charge the proper gate fees.
- **Mark Gruber:** Suggested amending Municipal Police Code section 1125 (d) that deal with Changes of Color Scheme. Suggested the Commission look into establishing a list of options of incentive for companies to carry workers compensation.
- **Dominic Rodrigues:** He believes Bay Cab is the cheapest and that is why medallion holders are changing companies.

5. TAXICAB COMMISSION ANNOUNCEMENTS & REQUESTS TO CALENDAR ITEMS

Commissioner McGuire: 1) Request to calendar amending Municipal Police Code sec. 1125 (d) Change of Color Scheme and consider adding a rule that makes Color Scheme changes contingent upon providing liability and workers' compensation insurance. 2) Request a hearing on corporate permits. 3) Warned taxi drivers that the Paratransit Broker is cracking down on paratransit fraud. If approached to purchase paratransit scrip, write down the serial numbers then call 877-477-2747 to report the incident. 4) Asked the Taxi Commission to notify Landside Operations of our appreciation to Joe Martin for his work in the taxi industry. 5) SFO has designated a new contract and asked the Taxi Commission staff to obtain the new liaison and telephone numbers. 6) There might be another strike at the airport. Request the Taxi Commission have a hearing on CNG privileges at SFO.
Commissioner Barry: The National London Taxi distributor will have a London taxi in front of City Hall for viewing in weeks. All London taxis are ramped taxis. Extended invitation for all to view.
Commissioner Smith: 1) Request to calendar a discussion on compiling a list of drivers who have had numerous accidents and move from one color scheme to another. The list would be distributed to company managers. 2)

Would like to form an insurance task force to oversee that all color schemes provide liability and workers' compensation for all vehicles. 3) Request a discussion on a driving requirement exemption for managers who are managing a company. 4) Would like the Commission to bring to the Board of Supervisors a proposal of if a medallion holder is 65 years or older, he may retire from driving and keep the medallion.
Commissioner Gillespie: Joined President Jackson in extending condolences to the cab driver in Richmond. Joe Martin was a good person and will be missed at the airport. Would like to join Commissioner McGuire in discussions regarding the CNG vehicles at the airport. Shares Commissioner Smith's comments on an insurance task force.
President Jackson: Would like to calendar a discussion on limiting the amount of time an applicant has to fulfill the driving requirement once he is eligible for a medallion.

PUBLIC COMMENT

- **Ruach Graffis, UTW:** Concerned over Commissioner Smith's idea of a "bad apple". list of cab drivers. If the list is to show drivers who have too many accidents then it is okay. But, if companies are sharing a list of people that they consider to be a problem then that is "black balling". The "bad apple" list should be limited to what is shown on the DMV printout.
- **Peter Witt:** He thought there were no more corporate medallions left. He believes the drivers of CNG vehicles are extorting from other drivers. DMV does screen drivers. There is no need for a black ball list. Would like to see if the list of drivers with accidents correlates or if there has been an increase in accidents in the last six years. That information might correlate with the fact that there is too many cabs on the street. In favor of an insurance task force and possibly a dispatch task force. Does not agree with the medallion holder retirement.
- **Dominic Rodriguez**: Suggested a time limit for CNG vehicles at the airport (i.e. the morning shift be from 9am-12pm). Also suggested changing the cab lines from one long and two short to one long and one short. Therefore, the drivers are not waiting 2-3 hours at the airport. This policy should be offered to all cabs at the airport.
- **George England**: In favor of medallion holders retiring and keeping the medallion. He believes he Taxi Commission should be addressing the limousine situation. Has heard a lot of drivers complaining about the CNG vehicles at the airport. In support of the London taxis.
- **Vad Shamis**: Thanked the Commission for doing away with the resolution regarding reinstating persons to the ramped taxi waiting list.

6. **STAFF REPORT**

Tom Owen, City Attorney: Gave and update on Senate Bill 1407: Workers' Compensation, approved by the Governor September 25, 2002. State legislature passed the Burton bill in its final form which requires the license rating organization to report to the Insurance Commissioner on potential under reporting of workers' compensation exposure in the taxi cab industry. The report was due by May 1, 2003. However, it does not seem to have been submitted yet. The original bill would have made all taxi drivers employees for purposes of workers' compensation. During the process it was amended into its current form. There is a possibility, based on the report the legislature might be persuaded to pick up the original bill again.
Naomi Little, Executive Director: The Board of Appeals overturned Mark Hollander's decision 5-0 citing the same reasons they cited in the Querida Rivera's case.
Cynthia Kang, Taxi Commission: At the present time there are 47 taxi stands in San Francisco. Twenty-six are located at hotels, three taxi stands are evening only, one at UCSF, and the other 17 throughout the City. There will be a public hearing held on Friday, July 11, 2003 to move one of the North Beach taxi stands back 89 feet at the recommendation of Muni. Currently, two BART stations have taxi stands. One at the Embarcadero, next to the Hyatt Regency Hotel and the other on Montgomery Street next to the Sheraton Palace Hotel. Hyde and Grove streets are a possible location for a taxi stand next to the Civic Center BART station. BART's Planning Department has put together a Station Access Plan in August 2002 that included rider demographics and taxi stand access. Anyone with suggestions on locations of taxi stands is asked to contact the Taxi Commission.

PUBLIC COMMENT

- **Ruach Graffis, United Taxicab Workers:** Suggested the taxi industry obtain cab shelters and seats similar to Muni.
- **Barry Taranto:** Thanked Executive Director Little for the update of Senate Bill 1407. Thanked Cynthia Kang for her report on taxi stands.
- **Peter Witt:** He thought the Deputy City Attorney was going to send a letter to the Board of Appeals regarding taxi laws. Hotels have more taxi stands than everybody else.

- **Mark Gruber:** Had three location suggestions for taxi stands 1) Superior Court at 400 McAllister St.; 2) One Market St. (on Spear Street side); and 3) Hall of Justice.
- **Dominic Rodrigues:** The hotels have stands for limousines not taxicabs.

7. PUBLIC COMMENT

- **Ruach Graffis, United Taxicab Workers:** Invited the Commission and Taxi Detail to the Transit Driver Story Swap Night on Wednesday, July 23rd at 7:00 p.m., New College Auditorium, 777 Valencia St.
- **Tesfa Chuffa:** Would like specification on qualification to be reinstated to the ramp taxi list.
- **Ahmad Albourdva:** The limousine problem is getting worst. He believes the limousine problem is not with the doormen but with the Management.
- **Peter Witt:** Presented his survey on the taxi industry.
- **Tone Lee:** Why are CNG vehicles treated differently than taxicabs?
- **Barry Taranto:** Would like the Commission to hold a hearing on the service at Pier 39. Concern over CNG vehicles being allowed to make four airport trips a day with the same driver. Suggested an investigation on lease holders charging higher gates to drivers driving CNG vehicles. There will be a protest at the Hilton Hotel on Thursday and Friday. He feels some Commissioners have made decisions that were politically motivated.
- **Henry Kim, S.F. Taxi Association:** The S. F. Bicycle Coalition received a grant to research conflict between taxi drivers and cyclists. The meeting will be held on Thursday, July 10th at 6:00 p.m. at 1095 Market St. RSVP 431-Bike. Suggested having someone represent the taxi industry on the Expenditure Plan Advisory Committee Board. Speaking on behalf of John Lazar of Luxor Cab, Mr. Lazar would like to make a formal compliant against the two drivers who left Luxor for not accepting ramp orders. Agrees with Mark Gruberg's statement regarding incentives for taxi companies that carry workers' compensation.

8. HEARING AND POSSIBLE APPROVAL OF A RESOLUTION SUPPORTING ASSEMBLY BILL 299 TO AMEND THE PUBLIC UTILITIES COMMISSION'S GENERAL ORDER CODE 157-C PROHIBITING CHARTER PARTY CARRIERS ADVERTISING AS TAXICABS.

Commissioner Gillespie moved the Executive Director draft a letter in support of AB 299. Commissioner Paek seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek, Smith
NOES: None

Sergeant Vince Simpson, SFPD Taxi Detail answered questions from the Commissioners.

PUBLIC COMMENT

- **Barry Taranto:** Thanked Executive Director Little for bringing this issue up in a timely manner. Suggested the Commission send letters of support of Assembly Bill 299.
- **Peter Witt:** Supports the resolution. Displayed his dispatched survey.
- **Ruach Graffis:** At the Convention and Visitors Bureau there are only two advertisements for taxicabs. Suggested taxicabs and limousines rates of fare be posted in all hotels.

9. HEARING TO DETERMINE WHETHER TO SUPPORT THE PLANNING DEPARTMENT'S RECOMMENDATION TO PROHIBIT RIGHT TURNS FROM MARKET STREET ONTO THE NEW FREEWAY ON-RAMP AT OCTAVIA.

MOTION 1: Commissioner Gillespie moved to support the Planning Department's recommendation. Commissioner Barry seconded the motion for discussion. Motion failed 6-1

AYES: Gillespie
NOES: Jackson, Barry, Breslin, McGuire, Paek, Smith

MOTION 2: Commissioner Barry moved to oppose the Planning Department's recommendation to prohibit the right turn and to recommend accommodations for vehicular traffic as well as for bicyclists and pedestrians. Commissioner Breslin seconded the motion. Motion passes 6-1

AYES: Jackson, Barry, Breslin, McGuire, Paek, Smith **NOES:** Gillespie

Captain Tom O'Neil, SFPD Taxi Detail answered questions from the Commissioners.

PUBLIC COMMENT

- **Barry Taranto:** He states this a politically charged issue. He believes taxi drivers do not have enough clout when it comes to traffic issues unlike bicyclists.
- **Ruach Graffis, United Taxicab Workers:** Suggested inviting someone from the Planning Department to do a presentation and explain the diagram for the new freeway on-ramp. Suggested the Commission not make any decisions on the street plans yet.
- **Peter Witt:** In the year 2000, had over 1,000 taxi drivers endorsed him to be their representative. Suggested someone from the taxi industry be apart of the panel working with the City to ease the traffic congestion. Thanked Commissioner Smith for anticipating problems that may occur.
- **Tara Housman:** Presented the new freeway street plan. The plan does not seem partial unless there is way to keep pedestrians and cars from interacting.

10. ADJOURNMENT

Adjourned at 9:05 p.m.

Respectfully submitted,

Sonya Banks
Commission Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXICAB COMMISSION
MAYOR WILLIE L. BROWN JR.

ARTHUR JACKSON, PRESIDENT
PAUL GILLESPIE, VICE PRESIDENT
JACK BARRY, COMMISSIONER
PATRICIA BRESLIN, COMMISSIONER
MARY McGUIRE, COMMISSIONER
MIN PAEK, COMMISSIONER
MARTIN SMITH, COMMISSIONER

TAXICAB COMMISSION AGENDA
REGULAR MEETING

DOCUMENTS DEPT.

JUL 21 2003

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July 22, 2003 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Minutes for the July 8, 2003 Taxicab Commission Meeting. [ACTION]
4. Approval of the Consent Calendar [ACTION]
5. Staff Report
6. Taxi Commission Announcements and Request to Calendar Items
7. Public Comment (Please limit public comment to items not on the agenda)
8. Discussion and Presentation by London Taxis of North America [DISCUSSION]
9. Hearing and Possible Approval of an Amendment to the Taxi Commission Rules and Regulations Regarding the Use of Hands Free Cell Phones [ACTION]
10. Hearing and Possible Approval of and Amendment to the Taxi Commission Rules and Regulations Regarding Lamp Certificates Required During Taxicab Vehicle Inspections [ACTION]
11. Hearing and Possible Suspension or Revocation of Color Scheme Permit dba 49er Cab Company Held by Abdeul Bashir Rahimi [ACTION] (Continued from 6/24/03)
12. Adjournment

Taxicab Commission Agenda
Regular Meeting
July 22, 2003 6:30 PM
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of a Driver of Public Vehicle for Hire permit to:

Abdul Abbas	Saad Abbas	Anas Abdelwahab	Muhannad Akbar
Saad Alghazawy	Dorrick Baker	Luis Basada	Richard Benjamin
Jay Bolds	Gilmar Borges	James Chan	Boonnauh Chantharengsy
Andrew Chow	Benjamin Cohen	Ricky Do	David Greenfield
Eric Ha	Mohamed Hans	Ashraf Hassan	David James
Zoljargal Khumbagai	Yury Klimenkov	Yhlas Kuliev	Marcio Leal
Ben Lew	Steve Liang	Fernando Martins	Said Mourad
Jiang Nie	Emmanuel Ogbodo	Obioma Okerenkeugo	Alec Duncan
Ian Elwood	Melvyn Ettrick	David Freeman	Kyaw Fu
Jon Gerber	Ulf Gradin	Brian Gorman	Alas Pais
Jong Park	Rinaldo Pereira	Motaz Qashou	Michael Richardson
Emre Sel	Subarna Shrestha	Jot Singh	Lakesh Singh
Sarbjit Singh	Hoyt Smith	Kwe Soon	Billy Taylor
Larry Thomas	Maung Tin	Bill Trang	Than U
Dawei Wang	Sherman Yan		

B. Recommendation of the Police Taxicab Detail for approval of a Ramp Taxicab Medallion Holder permit to:

	Medallion Holder	Medallion #	Color Scheme
1.	Alan Do	9009	Bay Cab

C. Recommendation of the Police Taxicab Detail for approval of Taxicab Color Scheme changes to, (Approval is conditional upon the applicants submitting Liability and Worker's Compensation insurance certification indicating appropriate coverage to operate under the new Color Scheme, notification to the Taxi Detail of the Specific Date of change and that such change be completed within twenty-one days of Commission Approval):

	Medallion Holder	Cab #	Change
1.	Lu Lam	879	Regents Cab to Bay Cab
2.	Alan Lee	9066	Luxor Cab to Fog City Cab
3.	Murai	1224	Luxor Cab to Yellow Cab
4.	Raed Sweiss	9007	Luxor Cab to B & W Checker

Taxicab Commission Agenda
Regular Meeting
July 22, 2003 6:30 PM
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

NOTICE
This is not an agenda item for this meeting, but serves as a public notice

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the August 12, 2003 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER:
None

RAMPED TAXICAB:

COLOR SCHEME CHANGES:

Medallion Holder	Cab #	Change
David A. Helske	*889*	*LuxorCab to Worldwide Cab*

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers.

Copies of the commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm.

(Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact Sonya Banks at (415) 554-3940, at least 72 hours prior to the meeting. Late requests will be honored if possible.

Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact Sonya Banks at (415) 554-3940, at least 72 hours prior to the meeting. Late request will be honored if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities may call Sonya Banks at (415) 554-3940 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90. For information about MUNI accessible services, call (415) 923-6142.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall, Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 234, by phone at (415) 554-7724, by fax at (415) 554-5163 or by e-mail at Donna_Hall@ci.sf.ca.us
Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Donna Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

SAN FRANCISCO LOBBYIST ORDINANCE

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Admin. Code §16.520-16.534] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102, telephone (415) 554-9510, fax (415) 703-0121 and web site http://www.ci.sf.ca.us/ethics/

WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

CITY AND COUNTY OF
SAN FRANCISCO

TAXICAB COMMISSION
MAYOR WILLIE L. BROWN, JR.

ARTHUR M. JACKSON, PRESIDIENT
PAUL GILLESPIE, VICE PRESIDENT
JOHN BARRY, COMMISSIONER
PATRICIA BRESLIN, COMMISSIONER
MARY McGUIRE, COMMISSIONER
MIN PAEK, COMMISSIONER
MARTIN SMITH, COMMISSIONER

NAOMI M. LITTLE, EXECUTIVE DIRECTOR

23
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22/03

MINUTES

Commission Chambers – Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
July 22, 2003
6:30 PM

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Regular Meeting

PRESENT: Jackson; Barry; Breslin; Paek; McGuire; Smith

ABSENT: Gillespie

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:30 PM

STAFF IN ATTENDANCE: Naomi Little, Executive Director; Sonya Banks; Cynthia Kang - Taxicab Commission; Captain Thomas O'Neill, Lieutenant Jeanne Schlotz, Sergeant Vince Simpson, Inspector Farrell Suslow, Officer Fraser – Taxicab Detail

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL – The Roll Call showed a quorum was present.**

3. **APPROVAL OF THE MINUTES FOR THE JULY 8, 2003 TAXICAB COMMISSION MEETING**

Commissioner Smith moved the approval of the minutes. Commissioner Paek seconded the motion.

AYES: Jackson, Barry, Breslin, McGuire, Paek, Smith **NOES:** None
ABSENT: Gillespie

4. **APPROVAL OF THE CONSENT CALENDAR**

A. Driver of Public Vehicle for Hire Permit

A Commissioner Smith moved the approval of item A. Commissioner Barry seconded the motion.

AYES: Jackson, Barry, Breslin, McGuire, Paek, Smith **NOES:** None
ABSENT: Gillespie

PUBLIC COMMENT

- **Barry Taranto:** Requested to sever items.
- **Hansu Kim, SFTA:** Concerned over consent calendar item 4C2 (Alan Lee). Paratransit medallion holders are leaving Luxor Cab Company because they are not willing to comply with picking up paratransit orders.

B. Ramp Taxicab Medallion Holder

B Commissioner Smith moved the approval of item B. Commissioner Paek seconded the motion.

AYES: Jackson, Barry, Breslin, McGuire, Paek, Smith **NOES:** None
ABSENT: Gillespie

C. Taxicab Color Scheme Changes

C1, 3 Commissioner Smith moved the approval of item C1, 3. Commissioner Barry seconded the motion.

AYES: Barry, Breslin, McGuire, Paek, Smith **NOES:** None
ABSENT: Gillespie **RECUSED:** Jackson

C2 Commissioner Barry moved the approval of item C2. Commissioner Breslin seconded the motion.

AYES: Jackson, Barry, Breslin, McGuire, Paek, Smith **NOES:** None
ABSENT: Gillespie

C4. Commissioner Barry moved to deny the transfer of Mr. Sweis until his ramp vehicle is operational. Commissioner Breslin seconded the motion.

AYES: Jackson, Barry, Breslin, McGuire, Paek, Smith **NOES:** None
ABSENT: Gillespie

PUBLIC COMMENT

- **Barry Taranto:** Thanked Commissioner Breslin for realizing his concerns over ramp medallions changing color schemes. Concerned about 4C4 (Raed Sweis) reasons for changing cab companies. Would like for him to show that he is devoted to the ramp taxi program.
- **Steve Reimers:** Informed the Commissioners of a report being generated by the Paratransit office. The report will provide information such as how many ramp orders are being picked up and by which color scheme, etc.
- **Roger Cardenas, Manager, Bay Cab:** He believes that people only complain when ramp drivers transfer from large cab companies and go to smaller cab companies. He personally does not want to have paratransit orders at his company because they do not receive a lot of paratransit calls. Recommended when rules are established that large and small cab companies and treated equally.
- **Raed Sweis:** Responding to Barry Taranto's concerns. The reason he wants to change color schemes is because Luxor Cab would not provide him with a spare vehicle to use until his ramp van became available. If he were provided a spare ramp vehicle he would have picked up paratransit calls.
- **Bruce Oka, Chair of the Ramp Taxi Work Group, Paratransit Coordinating Council:** Responding to the manager of Bay Cab's comments. Informed the manager of Bay Cab his company must participate in the paratransit program. Very upset with the comments made by Roger Cardenas.
- **Berhane Assefa:** It shouldn't make a difference if it is a large or small cab company, they should be held accountable for paratransit orders.

5. STAFF REPORT

Naomi Little, Executive Director: 1) The Permit Holders and Drivers Association was able to get four Board of Supervisors (Supervisors Daly, Ma, McGoldrick, Sandoval) to put a ballot initiative on the November election. The initiative would state "any taxicab permit holder who is unable to comply with the driving requirement due to disability should not be subject to permit revocation or suspension" this is an item that the Commissioners may not vote on in support or opposed this measure because it would be a misuse of public funds. However, this Commission may hold a hearing on the measure. The Commission may analyze the measure and make an accurate, fair and

impartial presentation of the relevant fact. Individual commission members may, outside of commission meetings, support or opposed the measure and identify themselves as commission members for that purpose. If the commission came up with an alternative measure they could ask the Board of Supervisors, the Mayor or four supervisors to submit an alternative to the voters by the 90th day before the election, which is August 6, 2003. On February 26, 2002, the Taxi Commission passed Resolution 2002-14, authorizing the Executive Director to establish guidelines and process under the Americans with Disabilities Act. As part of implementing the Taxi Commission's disability program, the Commission is working with the Department of Public Health ("DPH"). Dr. Mitch Katz, Director of Public Health is assisting in the design of the program. In addition, health care professionals from the DPH will assist in reviewing requests for accommodations under the Americans with Disability Act by taxi permit holders. Proposition K already allows the Taxi Commission to waive the driving requirement for a permit holder who becomes partially or temporarily disabled. However, for permit holders who are permanently disabled, the Taxi Commission and DPH are developing an ADA accommodation program that is somewhat similar to the City's catastrophic illness program for City employees in how it handles long-term or ongoing conditions. A disabled permit holder may apply for a waiver or reduction of the driving requirement, and the waiver or reduction, in appropriate cases, may be renewed on a yearly basis. **2)** The Board of Appeals is adding new surcharges in order to deal with their budget deficit. The Board of Supervisor approved legistration on July 15, 2003 creating a new surcharge on all permits that are appeal able to the Board of Appeals. The surcharge will go into effect on August 24, 2003. The Board of Appeals will be charging $6.76 on Taxi Commission Permits, which my office will have to collect and then convey to the Board of Appeals. Under MPC 2.261 the surcharge will effect color schemes, color scheme changes, public convenience and necessity applications, public passenger vehicle, driver permits, ramp taxi medallions, regular medallions and radio dispatch the surcharge only applied to new permits not permit renewals. **3)** At the next commission hearing will provide the results of the rehearing request for Lando Siu and David Adams that will be heard at the Board of Permit Appeals. **4)** The San Francisco Taxi Commission will be having a reception on August 18, 2003 to celebration our new office and one year as being an independent city agency. Our new office will be at City Hall, Room 448. **5)** In order to increase the taxi riding public to attend Taxi Commission meetings, President Jackson and myself have decided to hold two meeting a year in the neighborhoods. **6)** Warned taxi drivers about rapping around Third Street into the entrance at Moscone Center. If the problem continues, Moscone Center will be calling DPT, which mean more tickets.

PUBLIC COMMENT

- **Ruach Graffis, United Taxicab Workers:** Commented on the Ballot Measure. The PDA decided to circumvent the process and eliminate the public hearing, public comments, public input and with all the taxi industry involvement. This Ballot will allow only permit holders to keep their medallions if they are found to have a disability. She feels this is unfair.
- **Robert Cesana:** Concerned with the Ballot Measure. Suggested having a ruling from the City Attorney before submitting the Ballot Measure.
- **Stephen Reimers:** Thanked President Jackson and Executive Director Little for helping the long-term taxi drivers. He feels the medallion is their only security.

6. TAXI COMMISSION ANNOUNCEMENTS AND REQUEST TO CALENDAR ITEMS

Commissioner Barry: Request to calendar for discussions the new initiative ballot submitted by the four Board of Supervisors and render our written opinion.
Commissioner Breslin: 1) Requested follow up information from Henry Kim regarding the Bicycle Coalition meeting held on July 10, 2003. Proposed submitting to the Bicycle Coalition issues that would be helpful to ensure the safety of the taxi drivers and the cyclist. 2) Commissioner Barry, Executive Director Little and herself met to discuss proposal for positive public relation for the taxi industry. 3) President Jackson, Commissioner Paek, Sergeant Simpson, Officer Kulstad and herself did Hotel investigation to observe the doorman and limousine problems. Concerned over the recent strike by taxi drivers at the Hilton Hotel.
Commissioner Smith: 1) Request amended the rules to allow medallion holders to drive any taxicabs which is available. 2) Would like to calendar the CNG vehicle privileges at the Airport. 3) Manager exception. Gave recognition to Richard Hybels for helping the taxi industry to save money.
Commissioner McGuire: Request a hearing or possible action to increase the prerequisite driving requirements from 1 year to 3 years. Request to work on improving the testing procedures. Requested a copy of the paratransit report. Thanked the taxi drivers who participated in the picket line at the Hilton Hotel. Requested Barry Taranto to give presentation on the meeting held at San Francisco Airport regarding CNG vehicles.
President Jackson: Would like to calendar a discussion on limiting the amount of time an applicant has to fulfill the driving requirement once he is eligible for a medallion.

PUBLIC COMMENT

- **Hansu Kim:** The Bicycle Coalition received a grant though Public Health Department to look at issues between Muni Drivers, Cyclist and Taxicab Drivers. Suggestion were made that 1) cab drivers use their turn signal all the time, 2) when a taxicabs is pulled over letting passengers in or out to use hazard lights, 3) Obey the rules. Bicyclist should not pass on the right because passengers are exiting. Bicyclist should use their lights (front and rear) and be aware of the bike lanes locations. Many bicyclist fail to use the bike lanes.
- **Ruach Graffis, UTW:** Distribution of the Bicycle Coalition survey. She spoke at Supervisor Maxwell's Asthma Taskforce meeting.
- **Barry Taranto:** He wanted to give update on CNG meeting held at the S.F. Airport. The outcome of the meeting was for CNG vehicle to go with the one short/one long, instead of two shorts/one long as an experience. An update will be given on 7/30/03 meeting.

President Jackson requested to have item #8 heard next.

8. DISCUSSION AND PRESENTATION BY LONDON TAXIS OF NORTH AMERICA

Mr. O'Brein gave presentation on London Taxis of North America.

President Jackson allowed this speaker to speak next because he work the evening shift and cannot stay until item #7 Public Comment.

- **Jean Normand:** He is a long-term cab driver. Recommended a reform for the taxi industry. His motivation is to make Proposition K work.

Moved back to Public Comment from item 8 (London Taxis)

PUBLIC COMMENT

- **Tara Housman:** Enjoyed the London Taxi. Suggest the Taxi Commission encourage the use of London Taxis.
- **Stephen Reimers:** Suggest an American Company build a taxi like the London Taxis. The London Taxis are wonderful automobile and wheelchair accessible.
- **Laurie Graham, Yellow Ramp Taxi:** She feels the London Taxis are purpose-built vehicles. Urge any S.F. Taxi Company to buy a London Taxi.
- **Robert Cesana:** Most London cabs are owner driven. They do not have a second driver. He believes that is the reason for the London Taxis longevity.
- **Hansu Kim:** The London Taxis are fantastic vehicles but San Francisco is very hard on vehicles. The investment for the London Taxis is very high. Recommend changing Taxi Commission Rules before purchasing the London cabs.

7. PUBLIC COMMENT

- **Laurie Graham:** Distributed the Taxicab Pocket Guide for serving Customers with Disabilities.
- **Stephen Reimers:** At the Board of Supervisors meeting the paratransit funds will remain frozen.
- **Vad Shamis:** Recommended that everyone in the industry should carry workers' compensation insurance.
- **Ahmed Abdulkader:** Complained about ramp medallion #9024 not driving a ramp taxicab.
- **Murai, Medallion #1224:** Long-term cab driver. Privileged to be a taxi driver in San Francisco. Explained the definition between medallion and permit holders.
- **Mark Gruberg:** Address the Ballot Measure. He states every driver (medallion or non-medallion) deserves disability.
- **Karen Horning:** Requesting an amendment to the regulation regarding the security camera downloading. Recommended SFPD, Taxi Detail to be allowed to download photograph to help solve any crimes occurring in taxicabs.
- **Robert Cesana:** Thanked the Commission for having the discussion on the Ballot Measure. Suggested the staff have statistics on the age of people and how long have they been driving a cab?
- **Barry Taranto:** Need a solution for long-term drivers. Questioned the Paratransit Report, suggested having a hearing. Thanked the drivers who participated in the picket at the Hilton Hotel. Thanked Sergeant Simpson, Inspector Suslow and Officer Kulstad, SFPD, Taxi Detail for their professionalism toward the drivers who

were picketing at the Hilton Hotel.

- **Medina Abdulkader, 15 yrs. old:** Request a rehearing on ramp medallion 9024. She wants to protest the Commission giving the taxi driver who caused her disabilities a ramp medallion (#9024).
- **Hansu Kim:** Speaking on behalf of Luxor, Murai has been a wonderful medallion holder at Luxor Cab Company. The number one complaint he receives from cab drivers is the proliferation of town cars steeling fares. Suggested having a "sting operation" to prevent town cars from taking airport rides that are not pre-arranged.
- **Roger Cardenas, Bay Cab Manager:** Clarifying his earlier statement regarding paratransit. He did not say that Bay Cab did not want to participate in paratransit program. Bay Cab was one of the first small companies to participate in the paratransit program.

9. HEARING AND POSSIBLE APPROVAL OF AN AMENDMENT TO THE TAXI COMMISSION RULES AND REGULATIONS REGARDING THE USE OF HANDS FREE CELL PHONES.

Commissioner Barry moved the approval with amendments. Commissioner Paek seconded the motion.
MOTION WITHDRAWN

This item is being continued.

AYES: Jackson, Barry, Breslin, McGuire, Paek, Smith **NOES:**
ABSENT: Gillespie

PUBLIC COMMENT

- **Robert Cesana:** Suggested item #9 be postponed and decided at the State level if all motorists should be required to use hands free cell phones.
- **Barry Taranto:** Recommend this item be held over until further information can be obtained from the State level regarding the use of hands free cell phones devices. Suggested cab drivers limit their cell phone usage at the request of the passenger unless it's an emergency situation.

10. HEARING AND POSSIBLE APPROVAL OF AND AMENDMENT TO THE TAXI COMMISSION RULES AND REGULATIONS REGARDING LAMP CERTIFICATES REQUIRED DURING TAXICAB VEHICLE INSPECTIONS.

Commissioner Smith moved the approval to amend the Rules and Regulation to eliminate the requirement of the Lamp Certificates. Commissioner Barry seconded the motion.

AYES: Jackson, Barry, Breslin, McGuire, Paek, Smith **NOES:** None
ABSENT: Gillespie

PUBLIC COMMENT

- **George England:** Suggested having more information on the agenda items before the Commission meetings.
- **Tara Housman:** Agreed with George England comments regarding having the additional agenda information. Suggested posting the information to the Commission website.
- **Henry Kim, SFTA:** Referred to Lt. Schlotz's letter regarding smog and light certificated not being needed. It would save the cab companies a tremendous amount of money.
- **Roger Cardenas, Bay Cab:** The inspection certificate cost between $40-$50.00.

11. HEARING AND POSSIBLE SUSPENSION OR REVOCATION OF COLOR SCHEME PERMIT DBA 49ER CAB COMPANY HELD BY ABDUL BASHIR RAHIMI.

Commissioner Smith moved to revoke of Color Scheme Permit dba 49er Cab Company. Commissioner Barry seconded the motion.

AYES: Jackson, Barry, Breslin, McGuire, Paek, Smith **NOES:** None
ABSENT: Gillespie

Sergeant Vince Simpson, SFPD, Taxi Detail presented the case on behalf of Taxi Detail.

Abdul Bashir Rahimi was not present.

PUBLIC COMMENT

- **Barry Taranto:** He feels it is unfortunate that Mr. Rahimi was not present. Mr. Rahimi needs to be held accountable for his actions.

12. ADJOURNMENT

Adjourned at 9:25 p.m.

Respectfully submitted,

Sonya Banks
Commission Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR WILLIE L. BROWN JR.

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AUG 06 2003

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03-11-03 10:30

ARTHUR JACKSON, PRESIDENT
PAUL GILLESPIE, VICE PRESIDENT
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PATRICIA BRESLIN, COMMISSIONER
MARY McGUIRE, COMMISSIONER
MIN PAEK, COMMISSIONER
MARTIN SMITH, COMMISSIONER

NAOMI M. LITTLE, EXECUTIVE DIRECTOR

TAXI COMMISSION AGENDA
REGULAR MEETING

August 12, 2003 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Minutes for the July 22, 2003 Taxicab Commission Meeting. [ACTION]
4. Presentation and Discussion by Schaller Consulting Regarding the Methodology of Collecting Service and Availability Taxicab Data in San Francisco [DISCUSSION] (Report Available on www.sfgov.org/taxicommission)
5. Approval of the Consent Calendar [ACTION]
6. Staff Report
7. Taxi Commission Announcements and Request to Calendar Items
8. Public Comment (Please limit public comment to items not on the agenda)
9. Hearing and Discussion of CNG Vehicle Privileges at the Airport and Single Shift Taxicabs [DISCUSSION]
10. Hearing and Discussion on proposed Ordinance by Supervisor's Daly and Ma Regarding the Driving Requirement for Taxicab and Ramped Taxi Permitholders and Permit Applicants and Taxicab Permitholder Disability Ballot Measure.[Discussion] [Possible Action] (Proposed Ordinance).
11. Deliberation and Findings for Possible Suspension or Revocation of Driver of Public Passenger Vehicle For Hire Permit and Taxicab Permit #9004 Held by Ishtiaq Bokhari [ACTION] (Continued from 3/11/03, 3/25/03 and 4/8/03)
12. Hearing and Possible Revocation of Driver of Public Vehicle for Hire Permit and Taxicab Permit #871 Held by Raymond Deocareza [ACTION] (Continued from 10/22/02, 11/26/02)
13. Approval of Findings for Revocation of Color Scheme Permit dba 49er Cab Company Held by Abdul Bashir Rahimi [ACTION] (Proposed Findings)
14. Adjournment

Taxicab Commission Agenda
Regular Meeting
August 12, 2003 6:30 PM
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of a Driver of Public Vehicle for Hire permit to:

Ziad J. Abual-Darak	Imran Ahamd	Samy S. Alyasiry	Mohamed N. Ameen
Ozkan Apaydin	Antony Aydinian	Dmitri Barkov	Mourad Basso
Cleibson M Calaca	Peter Y. Choi	Wing F. Choi	Wallace R. Dasilva
Wellison V. Dasilva	Peter M. Delaney	Abderrahmane Djermouli	Stephen C. Doherty
Mohamed Elfeki	Hosni Elouafi	David B. Epstein	Michael M. Forbes
Vadim Godorozha	Exequiel E. Gonzalez	Jerry B. Grays	Russell D. Gronsky
Raymond C. Halliday	Ned E. Hamadny	John K. Han	Michael I. Hanania
Jama Hassan	Duc H. Huynh	Muhammad Ishfaq	Michael D. Jasoni
William M. Jones	Idrees Khan	Gilda J. Ledesma	Liantoro W. Liem
Ibrahim A. Mandour	Ramadon S. Mansoura	Mpho M. Mndaweni	Nimer Musleh
Woubshet Negatu	Nahom T. Nerayo	Waiman Ngai	Noah J. Noyes
Vatana Nuon	Mohamed A. Osman	Alexander T. Pena	Thomas H. Philavong
Robert B. Reddick	Paramjit S. Sandhu	Iqbal H. Shah	Naimeshkumar H. Shukla
Cresco F. Silva	Baljeet Singh	Aung S. Soe	Zied Souissi
Estevam R.F. Souza	Dusoh Sroles	Raqya Thabet	John E. Walters
Clayton L. Winfrey	Richard S. Worth	Abdelfattah A. Younes	

B. Recommendation of the Police Taxicab Detail for approval of Taxicab Color Scheme changes to, (Approval is conditional upon the applicants submitting Liability and Worker's Compensation insurance certification indicating appropriate coverage to operate under the new Color Scheme, notification to the Taxi Detail of the Specific Date of change and that such change be completed within twenty-one days of Commission Approval):

	Medallion Holder	Cab #	Change
1.	David A. Helske	889	Luxor Cab to Worldwide Cab

NOTICE

This is not an agenda item for this meeting, but serves as a public notice
The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the August 26, 2003 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER:
Tony Kwong

RAMPED TAXICAB:
Vladimir Granovskiy
Igor Levyash
Jalil Monsef
Wael Zaru

COLOR SCHEME CHANGES:

	Medallion Holder	Cab #	Change
1.	*Frank F. Chiang*	*654*	*Crown Cab to Fog City Cab*
2.	*Sanh T. Ly*	*1258*	*DeSoto Cab to Fog City Cab*
3.	*Tekle Berhan Mekbeb*	*9025*	*Regents Cab to Yellow Cab*
4.	*Twin Peaks Transportation*	*664, 665*	*Yellow Cab to Bay Cab*

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers.

Copies of the commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm.

(Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact Sonya Banks at (415) 554-3940, at least 72 hours prior to the meeting. Late requests will be honored if possible.

Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact Sonya Banks at (415) 554-3940, at least 72 hours prior to the meeting. Late request will be honored if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities may call Sonya Banks at (415) 554-3940 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90. For information about MUNI accessible services, call (415) 923-6142.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall, Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 234, by phone at (415) 554-7724, by fax at (415) 554-5163 or by e-mail at Donna_Hall@ci.sf.ca.us

Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Donna Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

SAN FRANCISCO LOBBYIST ORDINANCE

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Admin. Code §16.520-16.534] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102, telephone (415) 554-9510, fax (415) 703-0121 and web site http://www.ci.sf.ca.us/ethics/

WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

CITY AND COUNTY OF
SAN FRANCISCO

TAXICAB COMMISSION
MAYOR WILLIE L. BROWN, JR.

ARTHUR M. JACKSON, PRESIDIENT
PAUL GILLESPIE, VICE PRESIDENT
JOHN BARRY, COMMISSIONER
PATRICIA BRESLIN, COMMISSIONER
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NAOMI M. LITTLE, EXECUTIVE DIRECTOR

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1/12/03

MINUTES

Commission Chambers – Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
August 12, 2003
6:30 PM

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Regular Meeting

PRESENT: Jackson; Gillespie; Barry; Breslin; Paek; McGuire; Smith

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:30 PM

STAFF IN ATTENDANCE: Naomi Little, Executive Director; Sonya Banks; Cynthia Kang - Taxicab Commission; Inspector Farrell Suslow, Officer Cynthia Kulstad – Taxicab Detail

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL – The Roll Call showed a quorum was present.**

3. **APPROVAL OF THE MINUTES FOR THE JULY 22, 2003 TAXICAB COMMISSION MEETING**

Commissioner Smith moved the approval of the minutes. Commissioner Barry seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek, Smith **NOES:** None

4. **LINE ITEM 4 WAS HEARD AFTER THE STAFF REPORT - LINE ITEM 6**

5. **APPROVAL OF THE CONSENT CALENDAR**

Commissioner Gillespie moved the approval of the Consent Calendar. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek, Smith **NOES:** None

PUBLIC COMMENT

- **Peter Witt:** Questioned if Bruce Schaller's presentation would be limited to two (2) minutes since public comment was limited to two minutes?

6. STAFF REPORT

Naomi Little, Executive Director: 1) The Taxi Commission has moved to City Hall, 1 Dr. Carlton B. Goodlett Place, Room 448. The new phone # is (415) 554-7750 fax # (415) 554-7751. The Taxi Commissioners now have their own private telephone numbers. Members of the public who wish to contact any Commissioners may do so at (415) 554-7737, an automated system will prompt you messages for the Commissioner of your choice. 2) Mayor Brown, President Jackson and Executive Director Little invites the public to attend the Taxi Commission Open House on August 19, 2003 from 5-7:00 pm. 3) As of September 2, 2003, all requests for Color Scheme changes must be submitted to the Taxi Commission office and must show proof of workers compensation before submitting the application. 4) Executive Director Little and Inspector Suslow met with Deputy Chief Robinson to discuss the security cameras protocol.

Inspector Suslow, SFPD Taxi Detail: At the security camera meeting an agreement was reached, based on this Commission's initial approval of the camera plan. The photos will be used for serious crimes only (homicide, rape, robbery, etc.). All robbery (felony) will be downloaded. There will be a bulletin disseminated by SFPD regarding this issue. For lesser crimes, particular misdemeanors, downloading will not be routinely done.

PUBLIC COMMENT

- **Peter Witt:** Assaulted by a limousine driver 5 years ago. He states he never received a call back from SFPD Taxi Detail and the Robbery Division. Wants to know who is responsible when petty crimes are committed against taxi drivers?
- **Robert Cesana:** The Taxi Commission is in disarray. Suggest SFPD Taxi Detail download all photos from the taxis security camera when any crime is committed.
- **Antonio:** He was robbed for $47.00 and was informed that nothing could be done, so why does he need security cameras?

4. PRESENTATION AND DISCUSSION BY SCHALLER CONSULTING REGARDING THE METHODOLOGY OF COLLECTING SERVICE AND AVAILABILITY TAXICAB DATA IN SAN FRANCISCO.

Bruce Schaller of Schaller Consulting gave a presentation on "Recommendations for Measuring Taxi Availability for Public Convenience and Necessity Determination".

PUBLIC COMMENT

- **Peter Witt:** Admired the SPUR report. He has surveyed over 5000 customers. His surveys state that the biggest cab companies have the worst service.
- **Dominic Rodrigues:** During the Dot.com era 500 taxis were added to the City. Since the Dot.com has boomed, so has taxi business, no more cabs are needed.

7. TAXI COMMISSION ANNOUNCEMENTS AND REQUEST TO CALENDAR ITEMS

Commissioner Breslin: 1) Members of the Golden Gate Restaurant Association will be providing the food and beverage for the Taxi Commissions Open House. 2) Met with the Hotel Council at the end of July and discussed the rules and regulations regarding limousines. The limousines that are parked in front of hotels are pre-arranged by hotel guest, not the hotel staff.
Commissioner McGuire: Request adjourning the meeting in the memory of Ronald Aragon, Luxor's cab driver.
Commissioner Smith: Requested to revisit the 800 hours driving requirement and the manager's exemption. Request to calendar for discussion the length of time a cab can remain in service. Reminder, on August 28, 2003 from 12:00 p.m. to 1:00 p.m. the Blessing of the Fleet will take place on Golden Gate Avenue. Informed the Commission that the taxi stand sign located at Haight & Masonic Streets has been put back up. The taxi driver who assaulted two police officers was not a San Francisco taxi driver.

PUBLIC COMMENT

- **Peter Witt:** Would appreciate the limousines that are parked in front of hotels would make room for taxicabs to park as well. Pre-arrangement means a customer calls to arrange to be pick up. He believes the manager exemption is a way for mangers not to fulfilling the driving requirement. Concerned that the manager

exemption may get abused.

8. PUBLIC COMMENT

- **Barry Taranto:** Protest the two minutes public comment. Bruce Schaller's report was fascinating but how will it be implemented? Recommended a taxi stand at 400 McAllister Street. Suggested that hotels allow taxicabs to share the white zones parking in front with limousines. Asked the Commission to help cab drivers to continue loving their jobs.
- **Chuffa Tesfaye:** Made a final request to the Commission to be reinstated back to the ramp taxi waiting list.
- **Ruach Graffis:** Spoke on behalf of drivers like Chuffa Tesfaye who wish to be reinstated back to the ramp taxi waiting list.
- **Gudu Abdulbabi:** Concerned over the problems with limousines parking in front of hotels. Suggested CNG vehicles not have special privileges at the airport.
- **Jean Normand:** Suggested having a taxi stand at 18th and Castro Streets. Would like for the people of San Francisco to know and understand how the taxi industry operates. The taxi medallion belongs to the City and was not intended to be a medallion holder retirement plan.
- **Ashwani K. Aeri:** Requested to have his name restored back on the ramp taxi medallion waiting list.
- **Robert Cesana:** He brought the Ballot Measure proposal before the Commission not Ms. Little. Ms. Little works for the Commission, not the other way around. Suggested having a serious discussion about taxi stands.
- **Murai:** She observed a person in front of the hotel directing a customer to take a limousine instead of a taxicab. Wanted to know what could be done.
- **Peter Witt:** He conducted 6 surveys and showed the Commission one of the surveys.
- **Karen Horning:** Thanked the Commission for taking measures on the security cameras. She had two customers that did not pay their taxi fares. She believes the SFPD does not care about the safety of taxi drivers.

9. HEARING AND DISCUSSION OF CNG VEHICLE PRIVILEGES AT THE AIRPORT AND SINGLE SHIFT TAXICABS.

Alice Sgourakis, San Francisco Airport Landside Operation spoke on this item.
Doug Cameron, ENRG, spoke regarding CNG vehicles.

- **Alex Solodukin:** CNG vehicles are progress. CNG vehicles help save the air.
- **Alex Cotta, Manager at Worldwide Cab:** Privileges were given to CNG vehicles to encourage cab drivers to take part in the program. San Francisco is a pollute City that is why CNG vehicles are needed.
- **Alex Castro, Permit Holder:** He joined the CNG program at the airport to make a difference. The CNG vehicles are non-polluting and make it easier to breathe the air. The incentives that are given to CNG vehicles are benefits. Suggested promoting CNG vehicles. Recommended all cabs be CNG.
- **Peter Witt:** He has been endorsed by 1,000 drivers in the year 2000 to represent them at the Commission. He has 500 signatures that state Yellow Cab dispatch system is flawed. Recommended other incentives for CNG. He feels it is pitting CNG cab drivers against taxi drivers.
- **Robert Cesana:** CNG cabs go directly to the airport because they have front of the line privileges. Questioned how can CNG vehicles save the air of the City when they are at the airport?
- **Robert Conrad:** Disagreed with Robert Cesana. There will always be taxicabs at the airport not only CNG cabs. Taxi drivers are always complaining, like the medallion waiting list. The CNG program was offered to everyone not just a few chosen drivers.
- **Doug Cameron, representing Clean Energy:** He believes the City is starting to obtain some of its goals by reducing emissions. All drivers and owners can participate in the CNG program. He believes the CNG program is a success.
- **Antonio Bota:** He is like an ambassador for the CNG program. He believes it is an investment owning a CNG vehicle because CNG helps to breathe fresh air.
- **Saam Aryan:** He drives a CNG vehicle. CNG drivers do not make more money than taxi drivers. He believes everyone could benefit. CNG was established to reduce air pollution.
- **Tone Lee:** The airport is trying to help all drivers not only CNG. Some drivers just like to complain over nothing.
- **Mohammad Shah:** Suggested establishing a fare policy for taxi drivers. Questioned why CNG has front of the line privileges at the airport.
- **Dominic Rodrigues:** There is no information on CNG vehicles in the rules and regulations handbook. He was informed by ground transportation at the airport, by the year 2005 that all vehicles would be CNG. The democratic way is for everybody to have CNG vehicles not just a chosen few.

- **Balbir Singh:** Recommend the companies offer CNG vehicles other incentives instead of front of the line privileges at the airport.
- **Barry Taranto:** He had CNG concerns: 1) A lot of the drivers are single shifters. Suggested doing a study of how many hours they work their cabs. 2) If they are single shifted, what happen to the other 8 to 12 hours the cab is not on the streets? 3) Regarding the gate, some drivers are forced to pay their gasoline as part of their gate fee. He believes this is not allowed. 4) They are avoiding workers compensation by putting one driver per cab. The airport made a mistake because they thought there were two drivers per cab, which is not true.
- **Thomas George-Williams:** He drove CNG cabs for two years until he was kicked out. CNG cabs produce clean air. He hates unfair treatment, which is common in the taxi industry. The front of line privilege at the airport are unfair.
- **Jim Gillespie, DeSoto Cab:** Provided information regarding CNG. The airport is being mandated to reduce their emission that is why the airport offers incentives to CNG vehicles. Suggested looking into alternative fuel as well as CNG.
- **Karen Horning:** Presented Commissioner McGuire with a petition. The petition addresses the CNG issues at the airport. She was informed that she could not purchase a CNG vehicle because she is not a medallion holder. Recommend the Taxi Commission mandate the taxi companies purchase CNG vehicles.
- **Sajid B. Malik, Driving for 12 years:** He did not apply for a medallion but he drives a CNG vehicle. He states he makes the same amount of money before he started driving a CNG cab, but he spends more money maintaining the CNG cab.
- **Abdul Saleem:** CNG vehicles are the best.
- **Jean Normand:** Everybody agrees that CNG cabs are good. Recommended offering the incentives to taxi companies not just to CNG cabs.
- **Zareh Soghikian:** Pollution is caused by stop & go traffic and city traffic. Recommended the incentive be for CNG cabs to stay in the City not at the airport.
- **Ruach Graffis:** The industry does not need to pit driver against driver. Many of the CNG vehicles are that are not single shifted are long-term leases. Recommend the industry have a long-term lease cab for the long-term drivers.
- **Long Ngo, Permit Holder**: The airport police officers are unfair to regular taxi drivers. Would like the Taxi Commission to stop the front of the line privilege for CNG cabs at the airport.
- **Barry Korengold:** He believes the incentives offered to CNG drivers is affecting the other taxi drivers.

10. HEARING AND DISCUSSION ON PROPOSED ORDINANCE BY SUPERVISORS DALY AND MA REGARDING THE DRIVING REQUIREMENT FOR TAXICAB AND RAMPED TAXI PERMITHOLDERS AND PERMIT APPLICANTS AND TAXICAB PERMITHOLDER DISABILITY BALLOT MEASURE.

- **Ron Wolter:** He feels the ordinance should be two separate items. A lot of people received taxi medallions with no taxi driving experience. Questioned the Ballot proposal intent, was the intent for taxi drivers to pay for a life - time pension to medallion holders? Disappointed in Supervisors Daly, McGoldrick and Ma for signing the Ballot Measure without meeting with opposing taxi drivers.
- **Barry Taranto:** Thanked Director Little for agendizing the proposed ordinance. He believes the Ballot Measure is not the answer to the solution for the taxi industry. The proposal by Supervisor Daly regarding the driving standard is a wonderful idea but it needs to be addressed.
- **Robert Cesana:** Questioned if the Taxi Commission was needed? Questioned how could drivers be legally responsible for keeping waybills when the Commission requires waybills be kept at the taxi company, yet the taxi companies are not legally responsible.
- **Mark Gruberg:** Agreed with Robert Cesana regarding the waybills. Suggested the waybills be carbon copied. Recommended holding another meeting regarding the Ballot Measure. Suggested amending the ordinance to allow people whose names were removed from the ramp medallion waiting list because they signed the letter to be able to put their names back on the list.
- **Murai:** Would like to see taxi companies, medallion holders and taxi drivers support each other. Would like to be able to keep her medallion when she retires.
- **Ruach Graffis, United Taxicab Workers:** Believes Proposition N is a bad idea. Proposition N only benefits the privileged drivers. The Permit Drivers Association should have established a Ballot Measure that would benefit the entire cab industry. The Ballot should have addressed a disability program for all cab drivers. Asked the Commission to speak out against the Ballot proposal.
- **Peter Witt:** He was offered a ramp permit. He has been driving 14 years. Now he is being told he must drive 78 more shifts in order to qualify to be a ramp driver.
- **Dominic Rodrigues:** If you want to shorten your life, then become a taxicab driver. He works long hours as a

cab driver.

11. DELIBERATION AND FINDINGS FOR POSSIBLE SUSPENSION OR REVOCATION OF DRIVER OF PUBLIC PASSENGER VEHICLE FOR HIRE PERMIT AND TAXICAB PERMIT #9004 HELD BY ISHTIAQ BOKHARI.

Commissioner Smith moved to revoke the Driver of Public Passenger Vehicle for Hire permit held by Ishtiaq A. Bokhari. Commissioner Barry seconded the motion. Motion passed 5-1

AYES: Jackson, Barry, Breslin, Paek, Smith **NOES:** McGuire
RECUSED: Gillespie

Commissioner Paek moved the approval to adopt the Findings with amendments. Commissioner Breslin seconded the motion. Motion passed 5-1

AYES: Jackson, Barry, Breslin, Paek, Smith **NOES:** McGuire
RECUSED: Gillespie

Inspector Farrell Suslow, presented the case on behalf of SFPD Taxi Detail.
Sherry Gendelman, Attorney, spoke on behalf of Mr. Ishtiaq A. Bokhari.

12. HEARING AND POSSIBLE REVOCATION OF DRIVER OF PUBLIC VEHICLE FOR HIRE PERMIT AND TAXICAB PERMIT #871 HELD BY RAYMOND DEOCAREZA.

Commissioner Breslin moved to revoke permit #871 and the Driver of Public Passenger Vehicle permit held by Raymond Deocareza. Commissioner Barry seconded the motion. Motion passed 6-0

AYES: Jackson, Barry, Breslin, McGuire, Paek, Smith **NOES:** None
RECUSED: Gillespie

Commissioner Breslin moved the approval of the Findings. Commissioner Smith seconded the motion. Motion passed 6-0

AYES: Jackson, Barry, Breslin, McGuire, Paek, Smith **NOES:** None
RECUSED: Gillespie

Inspector Farrell Suslow presented the case on behalf of SFPD Taxi Detail.
Raymond Deocareza spoke on his own behalf.

- **Tara Housman:** Does not know the details of Mr. Deocareza's case. She spoke on the previous case. The Commission revoked the A-card held by Ishtiaq Bokhari. The industry needs to keep his ramp permit operating.
- **Peter Witt:** Agrees with Tara Housman. Wants to know why the Commission does not consider giving taxi drivers a warning, fines or suspensions in lieu of revocations.
- **Barry Taranto:** The Commission has already given Mr. Deocareza a second chance.

13. APPROVAL OF FINDINGS FOR REVOCATION OF COLOR SCHEME PERMIT DBA 49ER CAB COMPANY HELD BY ABDUL BASHIR RAHIMI.

Commissioner Smith moved the approval to adopt the Findings. Commissioner Breslin seconded the motion. Motion passed 6-0

AYES: Jackson, Barry, Breslin, McGuire, Paek, Smith **NOES:** None
RECUSED: Gillespie

14. ADJOURNMENT
Adjourned at 10:35 p.m. in the memory of Ronald Aragon

Respectfully submitted,
Sonya Banks, Commission Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXICAB COMMISSION
MAYOR WILLIE L. BROWN JR.

ARTHUR JACKSON, PRESIDENT
PAUL GILLESPIE, VICE PRESIDENT
JACK BARRY, COMMISSIONER
PATRICIA BRESLIN, COMMISSIONER
MARY McGUIRE, COMMISSIONER
MIN PAEK, COMMISSIONER
MARTIN SMITH, COMMISSIONER

NAOMI LITTLE, EXECUTIVE DIRECTOR

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TAXICAB COMMISSION AGENDA
REGULAR MEETING

DOCUMENTS DEPT.

AUG 22 2003

SAN FRANCISCO
PUBLIC LIBRARY

August 26, 2003 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

1. Pledge of Allegiance

2. Roll Call

3. Approval of the Minutes for the August 12, 2003 Taxicab Commission Meeting. [ACTION]

4. Approval of the Consent Calendar [ACTION]

5. Staff Report
   a. Thank you President Jackson, Commissioner Breslin, Scoma's Restaurant, Waterfront Restaurant, The Grove, Fior D'Italia, Franciscan Restaurant, Goat Hill Pizza and Young's Market for providing the food and beverages for the Taxi Commission's Open House.
   b. Application for Color Scheme Changes will be processed by the Taxi Commission Office effective September 2, 2003.
   c. The Taxi Commission's new address is in City Hall, 1 Dr. Carlton B. Goodlett Place, Room 448, San Francisco, 94103. Telephone number (415) 554-7750, Fax (415) 554-7751

6. Taxi Commission Announcements and Request to Calendar Items

7. Public Comment (Please limit public comment to items not on the agenda)

8. Taxi Commission Driver Appreciation Awards Ceremony Honoring:
   a. Graham Moyneux, DeSoto Cab
   b. Alan Freberg, DeSoto Cab
   c. Michael Woo, Big Dog City Cab
   d. Thiragirayuta Watson, Regents Cab
   e. Amarjeet Singh, Luxor Cab
   f. Vad Shamis, Black & White Checker Cab
   g. Charles Gayle, Yellow Cab

9. CLOSED SESSION ON LICENSE/PERMIT DETERMINATION
   a. Public comment on all matters pertaining to closed session
   b. Closed session pursuant to Government Code Section 54956.7 and San Francisco Administrative Code Section 67.8
      License/Permit Determination – 1 Applicant [ACTION]
   c. Reconvene in open session. Vote on whether to disclose any or all discussions held in closed session (San Francisco Administrative Code Section 67.12(a)) [ACTION]

10. Recommendations to San Francisco International Airport Regarding CNG Privileges [ACTION] (Memo from the Executive Director)

11. Hearing and Possible Action of Recommendations to the San Francisco Bicycle Coalition Regarding Taxicab Driver and Bicycle Safety [POSSIBLE ACTION] (Memo from Taxi Commission)

12. Adjournment

Taxicab Commission Agenda
Regular Meeting
August 26, 2003 6:30 PM
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of Taxicab Medallion Holder permit to:

	Medallion Holder	Cab #	Color Scheme
1.	Tony Kwong	363	Yellow Cab

B. Recommendation of the Police Taxicab Detail for approval of a Ramp Taxicab Medallion Holder permit to:

	Medallion Holder	Cab #	Color Scheme
1.	Vladimir Granovskiy	9020	B&W Checker Cab
2.	Igor Levyash	9002	B&W Checker Cab
3.	Jalil Monsef	9006	Luxor Cab
4.	Wael Zaru	9011	Yellow Cab

C. Recommendation of the Police Taxicab Detail for approval of Taxicab Color Scheme changes to, (Approval is conditional upon the applicants submitting Liability and Worker's Compensation insurance certification indicating appropriate coverage to operate under the new Color Scheme, notification to the Taxi Detail of the Specific Date of change and that such change be completed within twenty-one days of Commission Approval):

	Medallion Holder	Cab #	Change
1.	Frank F. Chiang	654	Crown Cab to Fog City Cab
2.	Sanh T. Ly	1258	DeSoto Cab to Bay Cab*
3.	Tekle Berhan Mekbeb	9025	Regents Cab to Yellow Cab
4.	Twin Peaks Transportation	664, 665	Yellow Cab to Bay Cab

*NOTE: Correction of original application from Fog City Cab to Bay Cab.

NOTICE

This is not an agenda item for this meeting, but serves as a public notice

Special 10-Day Notice for September 9, 2003 Taxi Commission Meeting

1. Hearing and Approval of Proposed Regulatory Changes to Accommodate the "London Taxi" Vehicle in San Francisco
   a. To allow additional service life for the purpose-built.
   b. To allow accommodation of the London Taxis of North America's "Wrap Program" in the Taxi Commission procedures for wrapped taxicabs.

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the September 9, 2003 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER:
Kirill Soboleu
Kevin Tou

RAMPED TAXICAB:
None

COLOR SCHEME CHANGES:
None

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers.

Copies of the commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm.
(Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact Sonya Banks at (415) 554-3940, at least 72 hours prior to the meeting. Late requests will be honored if possible.
Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact Sonya Banks at (415) 554-3940, at least 72 hours prior to the meeting. Late request will be honored if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities may call Sonya Banks at (415) 554-3940 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90. For information about MUNI accessible services, call (415) 923-6142.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall, Administrator by mail to Sunshine Ordinance Taskforce, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 234, by phone at (415) 554-7724, by fax at (415) 554-5163 or by e-mail at Donna_Hall@ci.sf.ca.us
Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Donna Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

SAN FRANCISCO LOBBYIST ORDINANCE

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Admin. Code §16.520-16.534] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102, telephone (415) 554-9510, fax (415) 703-0121 and web site http://www.ci.sf.ca.us/ethics/

WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR WILLIE L. BROWN, JR.

ARTHUR M. JACKSON, PRESIDENT
PAUL GILLESPIE, VICE PRESIDENT
JOHN BARRY, COMMISSIONER
PATRICIA BRESLIN, COMMISSIONER
MARY McGUIRE, COMMISSIONER
MIN PAEK, COMMISSIONER
MARTIN SMITH, COMMISSIONER

NAOMI M. LITTLE, EXECUTIVE DIRECTOR

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MINUTES

Commission Chambers – Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
August 26, 2003
6:30 PM

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JAN - 9 2004

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Regular Meeting

PRESENT: Jackson, Gillespie, Barry, Breslin, McGuire, Smith

ABSENT: Paek

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:35 PM

STAFF IN ATTENDANCE: Sonya Banks, Cynthia Kang - Taxi Commission; Captain Tom O'Neill, Lt. Jeanne Schlotz, Sgt. Vince Simpson, Inspector Farrell Suslow, Officer Paul Makaveckas – Taxi Detail

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL – The Roll Call showed a quorum was present.**

3. **APPROVAL OF THE MINUTES FOR THE AUGUST 12, 2003 TAXI COMMISSION MEETING**

Commissioner Smith moved to approve the minutes. Commissioner Gillespie seconded the motion. Motion passes 4-0

AYES: Jackson, Gillespie, Barry, Smith **ABSENT:** Breslin, McGuire, Paek
NOES: None

4. **APPROVAL OF THE CONSENT CALENDAR**

President Jackson severed items 4B (Ramp Taxi Permits) and 4C4 (Color Scheme Change).

PUBLIC COMMENT

- **Henry Kim:** Two medallion holders leaving Luxor for Black & White Checker do not have workers compensation. Might not be in the best interest of the City to issue permits to companies who do not have workers compensation.
- **Barry Taranto:** 1) Has concerns regarding Black & White Checker fulfilling ramp pickup requirements. 2) A partner of Twin Peaks Transportation passed away several years ago. It is a corporate permit and should be returned to the City.
- **Peter Witt:** Corporate permits are not legal. Gave recognition to Barry Taranto for his hard work given to the taxi industry.

- **Barry Taranto:** Requested the delay in transferring the Color Scheme change of Twin Peaks Transportation because he believes these permits are not operating legally.

A. Taxicab Medallion Holder Permit

Commissioner Barry moved to approve Tony Kwong. Commissioner Breslin seconded the motion. Motion Passes 5-0

AYES: Jackson, Barry, Breslin, McGuire, Smith — **ABSENT:** Paek
NOES: None — **RECUSED:** Gillespie

B. Ramp Taxicab Medallion Holder Permit

B3 Commissioner Smith moved to approve Jalil Monsef. Commissioner Barry seconded the motion. Motion passes 6-0

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Smith — **ABSENT:** Paek
NOES: None

B4 Commissioner Smith moved to approve Wael Zaru. Commissioner Barry seconded the motion. Motion passes 5-0

AYES: Jackson, Barry, Breslin, McGuire, Smith — **ABSENT:** Paek
NOES: None — **RECUSED:** Gillespie

B1, 2 Commissioner Smith moved to approve Vladimir Granovskiy and Igor Levyash. Commissioner Gillespie seconded the motion. Motion passes 6-0

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Smith — **ABSENT:** Paek
NOES: None

C. Taxicab Color Scheme Changes

C1 Color Scheme Change application withdrawn by Frank F. Chiang.

C2 Commissioner Barry moved to approve the Color Scheme change of Sanh T. Ly. Commissioner Gillespie seconded the motion. Motion passes 6-0

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Smith — **ABSENT:** Paek
NOES: None

C3 Commissioner Smith moved to approve the Color Scheme change of Tekle Berhan Mekbeb. Commissioner Barry seconded the motion. Motion passes 5-0

AYES: Jackson, Barry, Breslin, McGuire, Smith — **ABSENT:** Paek
NOES: None — **RECUSED:** Gillespie

C4 Commissioner Smith moved to approve Twin Peaks Transportation. Commissioner McGuire seconded the motion. Motion passes 4-1

AYES: Jackson, Breslin, McGuire, Smith — **ABSENT:** Paek
NOES: Barry — **RECUSED:** Gillespie

5. STAFF REPORT

Inspector Suslow read the Staff Report by Executive Director Little. 1) Thank you President Jackson, Commissioner Breslin, Scoma's Restaurant, Waterfront Restaurant, The Grove, Fior D'Italia, Franciscan Restaurant, Goat Hill Pizza and Young's Market for providing the food and beverages for the Taxi Commission's Open House. 2) Applications for Color Scheme Changes will be processed by the Taxi Commission Office effective September 2, 2003. 3) The Taxi Commission's new address is in City Hall, 1 Dr. Carlton B. Goodlett Place, Room 448, San Francisco, 94102. Telephone number (415) 554-7750, Fax (415) 554-7751

PUBLIC COMMENT

- **Peter Witt:** Disagreed on the Commission's date of becoming an legal government entity. The Commission was formed to sever itself from SFPD's Taxi Detail. Proposition K was never enforced by Taxi Detail.

6. TAXI COMMISSION ANNOUNCEMENTS AND REQUEST TO CALENDAR ITEMS

Commissioner Smith: 1) Request to calendar a discussion on ramped taxi service. Suggested requiring ramps to be located at two companies (i.e. Luxor and Yellow). It is easier for the public to get a ramped taxi at a larger company than a smaller company. The larger companies have more spares and better dispatch. 2) Would like to discuss changing the age limit of NEW sedan vehicles from three years to four years and vans to five years. 3) Would like to discuss workers compensation especially for CNG vehicles. There is an uneven playing field of medallions with workers compensation and those without.
Commissioner Breslin: 1) Pleased that the Taxi Commission Office is located at City Hall. 2) If Dave Helsky is listening, please contact Commissioner Breslin. 3) Would like the Taxi Commission to start a spreadsheet of the reasons why medallion holders are changing color schemes.
Commissioner McGuire: 1) Request to move CNG item and Driver Appreciation before Closed Session and Public Comment on the agenda. 2) Request discussion and action on workers compensation at the airport. Need to determine who is single shifting because if you are a sole proprietor, then you don't need workers compensation. 3) Request to discuss and possible action on restoring all names of applicants to the ramped taxi waiting list for those who returned the signed refusal of a ramped taxi permit. Would like to see the names added back on the waiting list like the applicants who did not sign the offer letter. 4) Would like to discuss the driver disability programs available.
Commissioner Barry: Would like to see a standard guarantee of service by all taxi companies. Anyone who calls a taxi company and does not receive a taxi within a certain time period should be able to call an alternative number that would dispatch a cab. All companies should give out this telephone number.

PUBLIC COMMENT

- **Peter Witt:** Commented on Commissioner Barry's statement. Does not believe he should have to prove himself to receive a ramped taxi permit after 14 years for driving.

President Jackson moved to hear item 8 next.

8. TAXI COMMISSION DRIVER APPRECIATION AWARDS CEREMONY

Inspector Suslow presented the Driver Appreciation Awards.

PUBLIC COMMENT

- **Peter Witt:** Believes it is part of the job to provide good service. The award should have been given as a whole instead to individuals.

10. RECOMMENDATIONS TO SAN FRANCISCO INTERNATIONAL AIRPORT REGARDING CNG PRIVILEGES

PUBLIC COMMENT

- **Jean Normand:** Current program is not fair. Suggested giving only one short by name not by cab number.
- **Sam Arroyo:** In favor of promoting more CNG vehicles.
- **Alex Castro:** In favor of CNG program.
- **Karen Horning:** Opposed to CNG short recommendations.
- **Ram Ghurpal:** Opposed to recommendations.
- **Barry Taranto:** Airport Commission will implement changes as of September 1st. Naomi Little came up with good recommendations.
- **Thomas Williams:** The problem at the airport is splitting the drivers. There needs to be a change in the unfair policy.
- **Suget Singh:** Opposed to CNG privileges. Does CNG vehicles really promote clean the air?

- **Gudu:** Suggested making the short trips to 25 minutes. If there must be incentives then force the companies to participate and allow all drivers a part of the opportunity.
- **Mongeet Singh:** Believes everyone should be treated fairly.
- **Gagandeep Mahal**: Protest the special treatment of CNG vehicles.
- **Long Vinh Ngo:** Opposes CNG privileges. Unfair to regular drivers.
- **Gurmeet Singh:** Opposes CNG privileges as well as non-San Francisco vehicles at the airport.
- **Davinder Singh:** CNG privileges are dividing the drivers at the airport. If you must give CNG privileges then make all vehicles CNG.
- **Mr. Vatal:** CNG vehicles promote clean air. All vehicles should be CNG.
- **Namdet Sharma:** Against money being taken out of their pockets. Against the privilege policy. CNG vehicles refuse shorts saying their trunks are smaller.
- **Abdul Parpal:** Opposes CNG privileges. Lines at the airport are too long. CNG should be limited to certain hours at the airport.
- **Mark Gruberg:** The CNG program is a good one but should be flexible. In support of the recommendations by Director Little.
- **Alice Sgourakis, San Francisco Airport Landside Operation:** Changes will be made to the CNG program. Effective September 1st a new ticket system will be implemented. Limiting hours for CNG shorts. Changes will be made to the overflow lot. Will be dispatching one short and one long.

Motion 1 - Commissioner Gillespie move to adopt Director Little's recommendation of the original September 2000 Airport Resolution of one free front-of-the-line privilege/driver shift; restrict the hours of CNG vehicles front-of-the-line privileges; and restrict vehicles that can access the airport to those medallions covered by workers compensation insurance. Commissioner Barry seconded the motion. Motion fails 3-3

AYES: Jackson, Gillespie, Barry **ABSENT:** Paek
NOES: Breslin, McGuire, Smith

Motion 2 - Commissioner Gillespie move to adopt Director Little's recommendation of the original September 2000 Airport Resolution of one free front-of-the-line privilege/driver shift; restrict the hours of CNG vehicles front-of-the-line privileges; and restrict vehicles that can access the airport to those medallions covered by workers compensation insurance. Commissioner Barry seconded the motion. Motion passes 5-1

AYES: Jackson, Gillespie, Barry, Breslin, Smith **ABSENT:** Paek
NOES: McGuire

11. Hearing and Possible Action of Recommendations to the San Francisco Bicycle Coalition Regarding Taxicab Driver and Bicycle Safety.

Josh Hart, Program Director of San Francisco Bicycle Coalition, presented information regarding the bicycle safety program.

PUBLIC COMMENT

- **Barry Taranto:** Thanked Josh Hart from the Bicycle Coalition for holding the focus groups and discussions between bicyclist and drivers. 1) The instructor of the cab training class needs to distribute the handouts and teach the items regarding safety 2) new and old cab drivers need to be informed regarding safety issues from the focus group for their own safety, the passengers and the bicyclist. The Commission needs to implement regulations regarding unloading on the curbside of the vehicle. The bicyclist needs to be educated on safety also.

Commissioner Gillespie motioned to continue to work with the Bicycle Coalition regarding bicycle and driver safety. Commissioner McGuire seconded the motion. Motion passes 6-0

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Smith **ABSENT:** Paek
NOES: None

7. PUBLIC COMMENT

- **Murai:** Would like to see removing the people on the waiting list who are not driving. Suggested grandfathering to medallion holders who are long time drivers.
- **Barry Taranto:** Thanked Commissioner Breslin for coordinating the food and beverages provided at the Taxi

Commission's Open House. Invited Commissioner Breslin to meet with Mike Casey, General Manager of the Omni Hotel, to discuss allowing town cars to park for an extended amount of time in the white zones in front of the hotel. Thanked Mr. Howard, Department of Parking and Traffic, for increasing enforcement of the red and white zones surrounding the Hilton Hotel.

- **Charles Rathbone:** Speaking on behalf of the PDA. Suggested holding a hearing on driver disability.
- **Norma Geer:** In favor of proposition N. Medallion holders have earned the right to disability.
- **Mark Gruberg:** Disability could have been resolved without a proposition. Disability should be for everyone.
- **Peter Witt:** Presented a survey from the City's Controllers office.
- **Henry Kim:** San Francisco Taxi Association is sponsoring Blessing of the Taxis on Thursday, August 28, 12-1pm, St. Monica's Church.

9. CLOSED SESSION ON LICENSE/PERMIT DETERMINATION

In attendance of the closed session were Commissioners Jackson, Gillespie, Barry, Breslin, McGuire, Smith; City Attorney Tom Owen; Inspector Farrell Suslow and Officer Paul Makaveckas of SFPD Taxi Detail.

a. Public comment on all matters pertaining to closed session
b. Closed session pursuant to Government Code Section 54956.7 and San Francisco Administrative Code Section 67.8
   License/Permit Determination – 1 Applicant [ACTION]
c. Reconvene in open session. Vote on whether to disclose any or all discussions held in closed session (San Francisco Administrative Code Section 67.12(a)) [ACTION]

Commissioner Smith motion not to disclose any discussions held in closed session. Motion passes 6-0

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Smith **ABSENT:** Paek
NOES: None

12. ADJOURNMENT

CITY AND COUNTY OF
SAN FRANCISCO

TAXICAB COMMISSION
MAYOR WILLIE L. BROWN JR.

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ARTHUR JACKSON, PRESIDENT
PAUL GILLESPIE, VICE PRESIDENT
JACK BARRY, COMMISSIONER
PATRICIA BRESLIN, COMMISSIONER
MARY McGUIRE, COMMISSIONER
MIN PAEK, COMMISSIONER
MARTIN SMITH, COMMISSIONER

NAOMI LITTLE, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

DOCUMENTS DEPT.

SEP - 8 2003

SAN FRANCISCO
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September 9, 2003 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Minutes for the August 26, 2003 Taxicab Commission Meeting. [ACTION]
4. Approval of the Consent Calendar [ACTION]
5. Staff Report
6. Taxi Commission Announcements and Request to Calendar Items
7. Public Comment (Please limit public comment to items not on the agenda)
8. Hearing and Approval of Proposed Regulatory Changes to Accommodate the "London Taxi" Vehicle in San Francisco. [ACTION]
    a. To allow additional service life for the purpose-built London Taxi vehicle.
    b. To allow accommodation of the London Taxis of North America's "Wrap Program" in the Taxi Commission procedures for wrapped taxicabs.
9. Hearing and Discussion of Rules and Regulations Concerning the 10% Transferability of Corporate Medallions. [DISCUSSION]
10. Hearing and Possible Approval of an Amendment to the Taxi Commission Rules and Regulations Regarding the Use of Hands Free Cell Phones. [ACTION] (Continued from 7/22/03)
11. Adjournment

Taxicab Commission Agenda
Regular Meeting
September 9, 2003 6:30 PM
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of a Ramp Taxicab Medallion Holder permit to:

	Medallion Holder	Cab #	Color Scheme
1.	Kirill Soboleu	9005	Luxor Cab
2.	Kevin Tou	9013	Bay Cab

NOTICE

This is not an agenda item for this meeting, but serves as a public notice

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the September 9, 2003 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER:
None

RAMPED TAXICAB:

Waleed A. Albawayah	*Nadeem A. Piracha*
Bassem J. Baqleh	*Kim Rozenkrants*
Philip Chiu	*German Sinityn*
Makhail Gorelik	*Wallace Tan*
Grigory Lubarsky	*Lam Tu*
Sreng S. Ly	

COLOR SCHEME CHANGES:

	Medallion Holder	*Cab #*	*Change*
1.	*Long Vinh Ngo*	*467*	*Luxor Cab to Bay Cab*

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers.

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WARNING

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CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR WILLIE L. BROWN, JR.

ARTHUR M. JACKSON, PRESIDIENT
PAUL GILLESPIE, VICE PRESIDENT
JOHN BARRY, COMMISSIONER
PATRICIA BRESLIN, COMMISSIONER
MARY McGUIRE, COMMISSIONER
MIN PAEK, COMMISSIONER
MARTIN SMITH, COMMISSIONER

NAOMI M. LITTLE, EXECUTIVE DIRECTOR

SF
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MINUTES

Commission Chambers – Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
September 9, 2003
6:30 PM

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Regular Meeting

PRESENT: Jackson; Gillespie; Barry; Breslin; Paek; McGuire; Smith

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:30 PM

STAFF IN ATTENDANCE: Naomi Little, Executive Director; Sonya Banks, Cynthia Kang - Taxi Commission; Captain Thomas O'Neill, Lieutenant Jeanne Scholotz, Sergeant Vince Simpson – Taxi Detail

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL – The Roll Call showed a quorum was present.**

3. **APPROVAL OF THE MINUTES FOR THE AUGUST 26, 2003 TAXI COMMISSION MEETING**

Commissioner Smith moved the approval of the minutes. Commissioner Barry seconded the motion.

AYES: Jackson, Gillespie, Barry, Smith **NOES:** None
ABSENT: Breslin, McGuire, Paek

4. **APPROVAL OF THE CONSENT CALENDAR**

Commissioner Gillespie moved the approval of the Consent Calendar. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Barry, Smith **NOES:** None
ABSENT: Breslin, McGuire, Paek

5. **STAFF REPORT**

Naomi Little, Executive Director: On September 5, 2003, the Disciplinary Hearing Officer that was hired by the Taxi Commission through the Department of Parking and Traffic held its first hearing. The hearings will be held the first Friday of every month at City Hall, Room 408 at 10:00 am. The agenda for the hearings will be posted to the Taxi Commission website 72 hours before the hearing.

6. TAXI COMMISSION ANNOUNCEMENTS AND REQUEST TO CALENDAR ITEMS

Commissioner Smith: Requested to calendar changing the age limit of new vehicles from three years to four years with one year as a spare. Continue to use four years old vehicles with 65,000 miles. Met with the Controller's Office on September 8, 2003 to discuss health and retirement plans for taxi drivers. The health plans are very expensive. Suggested a $20.00 raise in gate fees and $0.51 or $0.55 additional to the meter rate. James O'Connor from Town Taxi is retiring, recommended giving him a plaque in recognition of his dedication and hard work to the taxi industry. Requested to calendar a discussion on ramp taxi vans. The ramp vans at small companies are not being used correctly. Suggested requiring ramp vans to be located at the larger cab companies (i.e. Luxor or Yellow).
Commissioner Gillespie: Followed up on Commissioner Smith's comments. Interested in participating in the health and retirement benefit meetings for taxi drivers. The ramp taxi-working group will be discussing their preliminary findings on which cab companies are actually participating in the ramp taxi program. The meeting will be held at the Paratransit office at 1449 Webster Street on September 23, 2003 at 11:00 a.m.
Commissioner Barry: Interested in participating in the meeting with Commissioner Smith regarding the health and retirement benefits for the taxi industry. Suggested establishing a monthly report on the status of health plans, IRA's (i.e. retirement plan) and workers compensation.

PUBLIC COMMENT

- **Barry Taranto:** He planned on addressing the issue raised by Commissioner Smith during Public Comment. Black & White Checker will be receiving three more ramp medallions at the next Taxi Commission meeting. Suggested encouraging Muni to inform clients to call cab companies that offer certain niches. Black & White Checker should be up to 10 or 11 ramp medallions after the next Commission meeting. Suggest informing taxi driver representatives when the meeting will be held regarding health benefit issues.
- **Peter Witt:** Thanked Commissioner Barry for being on the Taxi Commission. Informed Commissioner Barry that he does not owe the driver anything but the Commission does. The driver representation has not represented the drivers who are not on the medallion waiting list. Taxi Detail did not inform taxi drivers of the medallion waiting list. Suggested having taxi stands and dispatch service as monthly items on the agenda. The taxi industry does not have all the resources Muni has which make it an uneven playing field.

7. PUBLIC COMMENT

- **Barry Taranto:** Suggested more advance notice be given to the public regarding the cases going before the disciplinary officer. Would like to have public comments during the disciplinary hearings. The Paratransit Broker and Accessible Services need to spend more time dealing with the people who are selling the paratransit scrip rather than those people who are buying them. Suggest the Commission hold a hearing to discuss the sky rocketing cost of insurance and what can be done. Questioned what was going on at the Omni Hotel. The Omni Hotel has been given no right to allow limousines or other vehicles to parked for extended periods of time in their white zone. Requested that Taxi Detail give taxi drivers adequate notification of their administrative appointments.
- **Peter Witt:** He believes the Taxi Commission is ridiculous. Concerned over his customer service surveys are being ignored by the Taxi Commission. He feels the Methodology Report prepared by Schaller Consulting is incomplete.

8. HEARING AND APPROVAL OF PROPOSED REGULATORY CHANGES TO ACCOMMODATE THE "LONDON TAXI" VEHICLE IN SAN FRANCISCO.

Commissioner Smith moved the approval **1)** to allow additional service life for the purpose-build London Taxi Vehicle for seven years, **2)** to allow accommodation of the London Taxis of North America's "Wrap Program" in the Taxi Commission procedures, **3)** to allow for the continuance wrapping of the vehicle independent of its color scheme during its service life, **4)** to review within one year and **5)** the Executive Director will follow-up on the fine points in a formal document. Commissioner Barry seconded the motion. Motion passes 6-1

AYES: Jackson, Barry, Breslin, McGuire, Paek, Smith **NOES:** Gillespie

Larry Smith gave a presentation on the London Taxi of North America.
Corey Gottlieb, Targeted Media Partners: Will be selling the Wrap Advertising for the London Taxi as they are approved from City to City.
Casey Decker, CEO of Yellow Cab Management in Chicago, London Fleet Advertisement & Billboard, Finance Company Transit Group: Presented the financial aspect for the London Taxi.

PUBLIC COMMENT

- **Mark Gruberg:** Any remarks made are on behalf of Ruach Graffis and himself not United Taxi Workers. Concerned if the London program is approved the $100.00 a month continues to go into the driver funds and continues through the seven years life of the vehicle. Suggest the Commission look closer at the financial aspect. The London taxi will have a seven-year life, it will have competitive advantage over the regular taxi. Concerned that the London Taxi is fueled by diesel.
- **Hansu Kim, Executive Director of the SFTA:** Cab companies are weary about purchasing any vehicle that has not been tested in San Francisco. It is a tremendous opportunity the City of San Francisco has in bringing the London Taxi. It is a fantastic financing arrangement. Suggest the Commission unanimous support the idea of bringing the London Taxi to San Francisco.
- **Barry Korengold:** Would like to see the London taxi come to San Francisco. He has strong concerns over the advertising wrap. Suggested some of the money from the wrap go to the drivers not just the owners. The London taxis are diesel fueled. CNG vehicles already have front-of-the-line privilege at the airport; will there be a special longer line at the airport for London taxis? The wraps will make the London taxi look tacky. Would love to drive a London cab only if it is not wrapped.
- **Barry Taranto:** San Francisco is a highly polluted city and if you put the diesel fuel cabs onto the streets it would create more pollution. Suggest using the London taxis on a trial period only. If the Commission allows an exception for wraps on London cabs then suggested allowing an exception for other vehicle wrap programs. If cabs are all wrapped how will the riding public know which cab company they are riding in?
- **Martin Kazinski:** London taxis are diesel-powered vehicles and create pollution. Concerned who will do the maintenance on these diesel vehicles?

9. HEARING AND DISCUSSION OF RULES AND REGULATIONS CONCERNING THE 10% TRANSFERABILITY OF CORPORATE MEDALLIONS.

PUBLIC COMMENT

- **Barry Taranto:** The City Attorney's opinion should be made public. A partner at Twin Peak Transportation passed away what happen to the stock? The permits should have been returned to the City as stated in Proposition K. Mike Spain already has his own pre-proposition K medallion and with his partner passing away he now has three medallions that he is collecting income from.
- **Martin Kazinski:** Thanked Executive Director Little and Commissioner McGuire for bringing this issue before the Commission. Some corporate medallions are being operated on the streets that shouldn't be.
- **Mark Gruberg:** Questioned why this issue has taken five years to be discussed by the Commission. Provided history on corporate medallions. Yellow and Luxor Cab Companies have returned their corporate permits back to the City. Veteran Cab Company is continuing to operate their corporate permits that should have been returned to the City. It was decided by the Police Commission and the Board of Appeals if you transferred 10% of your shares then those permits should be returned to the City.
- **Yale Feder:** Agreed with the previous three speakers. Something needs to be done about the returning corporate permits. It is taking far too long.
- **Mike Spain:** Explained the situation with his corporate medallions. The Taxi Commissioners should have scheduled this discussion of corporate medallions not because of public testimony. This item is mixing politics with policy.
- **Peter Witt:** Agrees with most of the speakers. Only one corporate permit owner spoke on behalf of defending himself. There has been no enforcement of corporate permits by Taxi Detail. He believes the companies are shielding the corporate permit holders.

10. HEARING AND POSSIBLE APPROVAL OF AN AMENDMENT TO THE TAXI COMMISSION RULES AND REGULATIONS REGARDING THE USE OF HANDS FREE CELL PHONES.

Commissioner Breslin moved that continuous discussion on the cell phone while passengers are in the taxicab is prohibited, with the exception that this should not apply to a driver using a cellular phone for emergency purposes including but not limited to an emergency call to law enforcement agency, health care provider, fire department or other emergency service agencies or entities. Commissioner Barry seconded the motion. Motion passes 7-0

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek Smith **NOES:** None

- **Barry Taranto:** Wanted to review why this item was continued. Police officers and other employee use cell phones, so why single out taxi drivers? Cab drivers are use to driving with distraction. Recommend the taxi driver ask permission from the passenger before using their cellular phone. The use of hands free cell phone rule should applied to all motorist not just taxi drivers.
- **Peter Witt:** He is outraged by the cell phone regulation. Taxi Detail has better things to enforce like limousines instead of taxi driver using cellular phones. Wanted to know who put this item on the agenda?
- **Barry Korengold:** This item is not that outrageous. Taxi drivers already have a lot of distractions like the hand held microphone and looking at the computer screen, etc. Suggest limiting the length of conversation time.

11. ADJOURNMENT

Adjourned at 9:57 p.m.

Respectfully submitted,

Sonya Banks
Commission Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR WILLIE L. BROWN JR.

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MARTIN SMITH, COMMISSIONER

NAOMI LITTLE, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

September 23, 2003 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Minutes for the September 9, 2003 Taxicab Commission Meeting. [ACTION]
4. Approval of the Consent Calendar [ACTION]
5. Staff Report
6. Taxi Commission Announcements and Request to Calendar Items
7. Public Comment (Please limit public comment to items not on the agenda)
8. Hearing and Discussion of Taxi Commission's Partnership with the Department of Public Health in regards to Procedures for Processing Request Under the Americans with Disability Act for Modification of a Taxi Permit Requirement. [DISCUSSION]
9. Hearing and Possible Action on Proposed Ordinance by Supervisor's Daly and Ma Regarding the Driving Requirement for Taxicab and Ramped Taxi Permitholders and Permit Applicants. [POSSIBLE ACTION] (Proposed Ordinance) (Continued from 8/12/03)
10. Hearing and Approval of a Taxi Commission Sub-Committee to Study the Different Insurance Concerns in the Taxi Industry. [ACTION]
11. Adjournment

Taxicab Commission Agenda
Regular Meeting
September 23, 2003 6:30 PM
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of a Ramp Taxicab Medallion Holder permit to:

	Medallion Holder	Cab #	Color Scheme
1.	Waleed A. Albawayah	9043	Yellow Cab
2.	Bassem J. Baqleh	9031	DeSoto Cab
3.	Philip Chiu	9057	DeSoto Cab
4.	Makhail Gorelik	9022	B & W Checker Cab
5.	Grigory Lubarsky	9023	B & W Checker Cab
6.	Sreng S. Ly	9029	Luxor Cab
7.	Nadeem A. Piracha	9050	Yellow Cab
8.	Kim Rozenkrants	9044	B & W Checker Cab
9.	German Sinityn	9053	Luxor Cab
10.	Wallace Tan	9048	Wallace Tan
11.	Lam Tu	9041	Bay Cab

B. Recommendation of the Police Taxicab Detail for approval of Taxicab Color Scheme changes to, (Approval is conditional upon the applicants submitting Liability and Workers Compensation Insurance Certification indicating appropriate coverage to operate under the new Color Scheme, notification to the Taxi Detail for the Specific Date of change and that such change be completed within twenty-one days for Commission Approval):

	Medallion Holder	*Cab #*	*Change*
1.	*Long Vinh Ngo*	*467*	*Luxor Cab to Bay Cab*

C. Recommendation of the Police Taxicab Detail to revoke the following Driver Public Passenger Vehicle permits for failure to pay the required annual License Fee in accordance with Municipal Police Code Section 2.17.

(Complete List available at the Taxi Commission, Taxicab Detail and at the Hearing)

NOTICE

This is not an agenda item for this meeting, but serves as a public notice

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the October 14, 2003 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER:
None

RAMPED TAXICAB:
Linh V. Truong

COLOR SCHEME CHANGES:

	Medallion Holder	*Cab #*	*Change*
1.	*Thomas O'Brien*	*661*	*Yellow Cab to SF Taxi Cab*

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NAOMI M. LITTLE, EXECUTIVE DIRECTOR

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9/23/03

MINUTES

Commission Chambers – Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
September 23, 2003
6:30 PM

Regular Meeting

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PRESENT: Jackson; Gillespie; Barry; McGuire; Smith

ABSENT: Breslin; Paek

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:35 PM

STAFF IN ATTENDANCE: Naomi Little, Executive Director; Sonya Banks, Cynthia Kang, Annette Taylor - Taxi Commission; Captain Thomas O'Neill, Lieutenant Jeanne Schlotz, Sergeant Vince Simpson, Inspector Farrell Suslow – Taxi Detail

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL – The Roll Call showed a quorum was present.**

3. **APPROVAL OF THE MINUTES FOR THE SEPTEMBER 9, 2003 TAXI COMMISSION MEETING**

Commissioner Gillespie moved the approval of the minutes. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Barry, Smith
ABSENT: Breslin, McGuire, Paek
NOES: None

4. **APPROVAL OF THE CONSENT CALENDAR**

Commissioner Smith requested to sever 4A 1-11 of the Consent Calendar.

4A **Ramp Taxicab Medallion Holder Permits**
Commissioner Smith moved the approval of the Consent Calendar 4A 2, 3, 6, 9, 11. Commissioner Gillespie seconded the motion.

AYES: Jackson, Gillespie, Barry, McGuire, Smith
ABSENT: Breslin, Paek
NOES: None

Commissioner Smith moved the approval of the Consent Calendar 4A 1, 7. Commissioner Barry seconded the motion.

AYES: Jackson, Barry, McGuire, Smith — NOES: None
ABSENT: Breslin, Paek — RECUSED: Gillespie

Commissioner Smith moved the to continued Consent Calendar items 4A 4, 5, 8, 10. Commissioner Gillespie seconded the motion. Motion passes 4-1

AYES: Jackson, Gillespie, Barry, Smith — NOES: McGuire
ABSENT: Breslin, Paek

4B Taxicab Color Scheme Changes

Commissioner Gillespie moved the approval of the Consent Calendar 4B. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Barry, McGuire, Smith — NOES: None
ABSENT: Breslin, Paek

4C Revocation of Driver of Public Passenger Vehicle Permits

Commissioner Gillespie moved the approval of the Consent Calendar 4C. Commissioner Barry seconded the motion.

Inspector Farrell Suslow, SFPD Taxi Detail spoke on this item.

AYES: Jackson, Gillespie, Barry, McGuire, Smith — NOES: None
ABSENT: Breslin, Paek

PUBLIC COMMENT

- **Barry Taranto :** Suggest conditional approval for applicants on the consent calendar because their participation in the ramp program has been minimal. Suggested ramp applicants pick up a certain amount of paratransit orders as part of the requirments before receiving a ramp medallion.
- **Steve Johnston :** Spoke on behalf of Black and White Checker Cab Company and explained the dispatch procedure for ramp orders. Recommend granting Black and White Checker the additional ramp medallions from tonights consent calendar.
- **Hansu Kim, SFTA:** Disagree with Steve Johnston's comments. Recommended giving ramp medallions to those companies that are actually serving the paratransit community. Recommended adding to the Taxi Commission Rules and Regulations: 1) Applicants must actually pick up 100 ramp orders before receiving their ramp permits. 2) Give medallions to those most deserving, and 3) to create accountability.
- **Robert Cesana:** Agrees with some of Hansu Kim's comments. The Taxi Commission is duty bound to give tonights applicants their ramp permits. Suggested changing the rules for future ramp applicants.
- **Bruce Oka :** Follow up on Hansu Kim's comments. Suggested the paratransit community provide recommendations as to who should receive a ramp permit because the ramp community knows who is picking up the ramp orders. Luxor and Yellow Cab Companies pick up most of the ramp orders. Recommended changing the Taxi Commission rules for obtaining a ramp permit.
- **Deeann Hendrix, Member of the ramp taxi-working group:** Suggested the disabled community who rides in the ramp taxi should decide if you receive a ramp permit. The drivers should be trained on disability before receiving their ramp permit. Echoed Bruce Oka's statements.

Marc Soto, Paratransit Broker : Explained the Paratransit Office method of calculating how many ramp orders were picked up and by which cab companies.

President Jackson moved to hear item 8 next.

8. HEARING AND DISCUSSION OF TAXI COMMISSION'S PARTNERSHIP WITH THE DEPARTMENT OF PUBLIC HEALTH IN REGARDS TO PROCEDURES FOR PROCESSING REQUEST UNDER THE AMERICANS WITH DISABILITY ACT FOR MODIFICATION OF A TAXI PERMIT REQUIREMENT.

Dr. Mitch Katz, Director of Department of Public Health gave a presentation.

PUBLIC COMMENT

- **Carl Macmurdo:** In favor of a partnership between the Taxi Commission and the Public Health Department. Recommend to revisit the Essential Eligibility requirements.
- **Laurie Graham, Ramp Permit # 9039:** Agrees with Dr. Katz. Recommended changing the rule to accommodate drivers with illnesses who may return to work after getting better. Medallion holders should not have their permits revoked because of illness.
- **Robert Cesana, Permit # 767, Officer PDA:** Congratulated Naomi Little for bringing forth the ADA issues. Suggested having another decision on numbers and ages. Example: how many permit holders from the list are claiming to be disabled. 2) How old are they ?
- **Barry Taranto:** Thanked Executive Director Little for bringing this issue up now. Welcomed Dr. Katz. ADA has to do with accommodation for a job and making accommodations if someone has a catastrophic illness, it has nothing to do with continuing to receive a pay check if a driver can no longer perform a job. Suggested legal interpretation advise on how ADA should be applied to taxi drivers.
- **Bruce Oka:** He has credentials that state he is a "ADA" expert. He helped to write some of the reasonable accommodation language that exists in the ADA. Applauded Director Litte and the Commission for taking on this program. Recommended a retirement plan for all taxi drivers not just for permit holders.
- **George England, Luxor Cab Driver:** As a non-medallion holder, it is difficulty to speak out on disability. Medallions are not a pension plan and it is not a disability income policy – it is a license to drive a cab. Suggest every cab driver should have a medallion. If a medallion holder can no longer drive a cab, the medallion should be return to the city. ADA means to accommodate people who need accommodation in order to do the job not a way to avoid doing the job.
- **Hansu Kim:** Applaud Director Little and Dr. Katz for coming up with this program. Advised the Commission to offer support of this program.
- **Captain Tom O'Neill, SFPD Taxi Detail:** Agrees with Barry Taranto and Bruce Oka's comments. There is a misconception about ADA, some people look at it has an entitlement. There needs to be a presentation on legal implication. Explained how ADA is applied through civil service.
- **David Kiley, Luxor Permit 840:** Most medallion holders are senior drivers who work very hard to make a living. If a driver is disabled, one of their biggest fears is having to drive and risk the safety of other people.

5. STAFF REPORT

Naomi Little, Executive Director: 1) On September 11th Airport Commission President Larry Mazzola, Taxi Commission President Arthur Jackson, Commissioners Martin Smith, Mary McGuire and Executive Director Naomi Little attended the CNG meeting at the San Francisco Airport. There was extremely good dialogue between the CNG drivers, regular gas drivers and the Commissioners. At the end of the two-hour meeting, everyone made recommendations to the Commissioners on how to solve the problems. Some of those recommendations ranging from differential in medallions fee for those with CNG drivers and those medallions that are not CNG; the Taxi Commission setting mandates on a certain percentage of the fleet being clean; to asking the airport to implement the recommendation the Taxi Commission forwarded. The following week the airport will be preparing a report to send to the Airport and Taxi Commissions. 2) Commissioners Barry, McGuire and Executive Director Little attended the International Association of Transportation Regulators Conference (IATR) it was very informative. 3) On September 15, 2003, AB 299 passed the legislature and were sent to the Governor. As you may recall, AB 299 will allow the SF Police Department, when they have reasonable cause to believe that a limousine is operating as a defacto taxicab, to seek a warrant to immediately seize the vehicle for a period not to exceed 30 days. In addition, AB 299 will prohibit limousines from advertising their services to the public as a taxicab or taxi service. If the governor does not sign the Bill within 30 days, it becomes law and goes into effect January 1, 2004. 4) Our November 11th meeting will be rescheduled because November 11th is Veterans Day. The Taxi Commission will reschedule the meeting to later that week. Announcements are forthcoming. 5) The Taxi Commission has a new employee and her name is Annette Taylor. She came from SFPUC Human Resource Department and she will be an asset to the Taxi Commission office.

PUBLIC COMMENT

- **Barry Korengold:** He has a problem with the location of the Taxi Commission first meeting in November. Concerned that taxi drivers will not be able to attend because of the time. Concern over the safety of his car at the Bayview Police Station.

6. TAXI COMMISSION ANNOUNCEMENTS AND REQUEST TO CALENDAR ITEMS

Commissioner Gillespie: Requested to calendar a discussion on the Taxi Commission Advertising Fund. Would like the exact amount available in the advertising fund for usage and a explanation on the process and how to forward a recommendation for expenditure. Recommended a discussion from the Commissioners and public before making it an action item.
Commissioner Smith: Requested to calendar for discussion an action on workers' compensation being a pre-requisite before any cabs or color schemes are allow on the streets. Suggested all ramp vans should be located at Yellow or Luxor Cab Companies. An investigation should be done on all ramp vans who are interested in participating in the ramp taxi program. He spoke with the Controller's office and they are very close to finding a health program for taxi drivers.
Commissioner Barry: Agreed with Commissioner Smith. Ramp medallions should be given to those companies that are actually participating in the ramp program. Requested for staff investigation on the following: 1) Dump the numbers from the trunks of the cabs, 2) Dress code standard for cab drivers, 3) Language Ability, what language capability requirement is needed to obtain a A-card, 4) The wrap standards should apply to all cabs, not just the London Taxis. 5) To establish a flat rate fee for trips to and from the San Francisco airport.
Commissioner McGuire: Requested to calendar for discussion and possible action to implement the quote of ramp orders for ramp medallion applicants. A request from the disabled community was to require a representative from each color scheme to attend paratransit meetings and to allow public comment by phone on agenda items. Request to adjourn in memory of Yellow Cab driver Robert Barkalou. Thanked the staff at San Francisco General Hospital.

PUBLIC COMMENT

- **Barry Taranto:** Commissioners Barry and Paek spoke at the last commission meeting regarding a standard dress code for taxi drivers. Cab drivers deserve a certain level of pay in order to purchase dress code clothing.

7. PUBLIC COMMENT (limited to 2 minutes)

- **Carl Macmurdo, Member of PDA:** He believes the proposed ordinance should had been resolved by the Taxi Commission. Agrees with Dr. Katz's presentation regarding disability. Suggested the Commission look into re-visiting Proposition K and the Municipal Police Code sections involving the Americans with Disability Act.
- **Barry Taranto:** Thanked Executive Director Little for organizing a meeting with a representative from Commissioner Kennedy's office, CPUC. Thanked Commissioner Barry for his attendance at the meeting and providing input. Thanked the Commissioners who attended the CNG meeting at the airport. Hope the Airport Commission comes up with proposals that will work for everyone. Apologized to the Hilton Hotel for his comments. Would like help from Commissioner Breslin regarding limousines parking in the white zone at the Omni Hotel.
- **Jim Nakamura:** Corrected Captain O'Neill's comments regarding long-term disability. Police officers, fire fighters and cab drivers share one thing in common, they can't get long-term disability. Only permit holders are audited on their driving history. Recommend a proposal be establish on disability for drivers who have dedicated their life to the taxi industry
- **Bruce Oka:** The industry needs a disability plan for drivers who can no longer drive. He is willing to assist in putting together a disability program that really works for all cab drivers. Permit holders are scared to admit to their disabilities in fear of losing their permits.
- **Robert Cesana:** Responded to Commissioner Barry's comments. The large numbers on the trunk of taxis are used to identify the taxi. If a dress code is enforced then the employer should pay. Disagrees with Sergeant Simpson's letter regarding accepting credit cards.
- **Zareh Soghikian:** In 2001, he was offered a ramp permit but he refused. He is now requesting to be reinstated to the ramp taxi waiting list.
- **Barry Korengold:** Resents the two-minute public comment. Protest the decision regarding the London Taxi at the last commission meeting. He is disturbed about the dress code and bringing the London Taxi to San Francisco.
- **Johnson Akinbodunse, Yellow Cab #1293:** Disagrees with ramp vans only going to Yellow or Luxor Cab Companies, it is a violation of freedom of enterprise. He has no problem with establishing a dress code as long

as the company pays for the uniform.

- **Stephen Reimer, Yellow Cab:** Proposition K made medallions property of the City. However, the medallion holders keep the value of the medallion and the equipment up. The medallions are worth devoting your life but if you cannot fulfill the driving requirement the City takes back the medallions. The City does not offer medallion holders the opportunity to get health insurance or disability.

- **George England:** The dress code was eliminated when cab drivers became independent contractors. Suggest using the money that medallion holders receive and putting the money into a fund to benefit all drivers. Echo Bruce Oka's comments that all drivers should benefit for their services provided to the City. Medallions are not pension plans. Suggest giving medallions to all cab drivers.

9. **HEARING AND POSSIBLE ACTION ON PROPOSED ORDINANCE BY SUPERVISOR'S DALY AND MA REGARDING THE DRIVING REQUIREMENT FOR TAXICAB AND RAMPED TAXI PERMITHOLDERS AND PERMIT APPLICANTS.**

Commissioner Gillespie requested to have this item continued until the City Attorney is present.

PUBLIC COMMENT

- **Mark Gruberg:** Commissioner Gillespie's suggestion is excellent regarding re-calendaring this item. Spoke with Supervisors Daly and Ma's office regarding the ordinance and he was informed the portion concerning the driving requirement for permit holders was placed on hold.
- **David Kiley Luxor #840:** For many years the driving requirements were based upon hours and now it is based on shifts. It does not serve the public when cab drivers have to pass up customers in order to return to the garage to get another stamped waybill. Suggested using the same waybill you will still be fulfilling the driving requirement.
- **Carl Macmurdo:** It strikes him as odd when a proposal of this nature comes from a staff assistant to the Supervisor whether then the Taxi Commission sending the Supervisors its recommendation. Suggest moving forward with the hourly standard, it will help the taxi industry.
- **Robert Cesana:** Suggested a discussion before submitting the ordinance. When he received his medallion in 1978, the rules were you had to drive a taxi the year before receiving the medallion. He would like to return to the procedures from 1978.
- **Barry Taranto:** Thanked Vice President Gillespie for continuing this item until the City Attorney returns. He invited Supervisor Ma or her assistant to attend the Commission hearing regarding the proposed ordinance. Recommended giving medallions to long-term drivers. Thanked the San Francisco Giants on winning. Recommended preserving the taxi stands at Pac Bell Park for play-off season.

10. **HEARING AND APPROVAL OF A TAXI COMMISSION SUB-COMMITTEE TO STUDY THE DIFFERENT INSURANCE CONCERNS IN THE TAXI INDUSTRY.**

Motion 1: Commissioner Smith moved the approval of a sub-committee. Commissioner Barry seconded the motion. Motion failed 5-0

AYES: None **ABSENT:** Breslin, Paek
NOES: Jackson, Gillespie, Barry, McGuire, Smith

Motion 2: Commissioner Gillespie moved the approval of the Taxi Commission establishing a Task Force. Commissioner McGuire seconded the motion. Motion passes 5-0

AYES: Jackson, Gillespie, Barry, McGuire, Smith **ABSENT:** Breslin, Paek
NOES: None

- **Carl Macmurdo:** It is a great idea and is very necessary.
- **Hansu Kim:** Insurance cost for the industry is monumental. Agrees with creating a task force to look into and addressing the issues of insurance. He feels that many companies will be force out of business due to the high cost of insurance.
- **Stephen Reimer:** Taxi companies are being hit hard with the high cost of insurance. Other passenger vehicles such as limousines are not required to carry to same amount of insurance as cab companies.
- **Robert Cesana:** He would like for everyone in the industry to have workers' compensation. Clarification is needed on "if a driver is single shifting do they need to carry insurance"? Suggested talking to the City about

lowering the amount of insurance coverage needed by taxi companies.

- **Mark Gruberg:** He understands the high cost of insurance for the taxi industry because he pays all of his own insurances. Disagrees with Hansu Kim's statement regarding taxi companies being forced out of business because of insurance cost. Permit holders are receiving $1,800.00 a month so the financial problems of the taxi industry cannot fail solely on the insurance industry.
- **Jim Nakamura:** Disagrees with Mark Gruberg's statements. As a permit holder he only received $1,600.00 a month which rounds out to be $10.00 an hour without any benefits.

11. ADJOURNMENT

Adjourned in the memory of Robert Barkalou at 9:15 p.m.

Respectfully submitted,

Sonya Banks
Commission Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR WILLIE L. BROWN JR.

ARTHUR JACKSON, PRESIDENT
PAUL GILLESPIE, VICE PRESIDENT
JACK BARRY, COMMISSIONER
PATRICIA BRESLIN, COMMISSIONER
MARY McGUIRE, COMMISSIONER
MIN PAEK, COMMISSIONER
MARTIN SMITH, COMMISSIONER

NAOMI LITTLE, EXECUTIVE DIRECTOR

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TAXICAB COMMISSION AGENDA
REGULAR MEETING

October 14, 2003 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

1. Pledge of Allegiance
2. Roll Call
1. Approval of the Minutes for the September 23, 2003 Taxicab Commission Meeting. [ACTION]
2. Approval of the Consent Calendar [ACTION]
3. Staff Report
4. Taxi Commission Announcements and Request to Calendar Items
5. Public Comment (Please limit public comment to items not on the agenda)
6. Hearing and Possible Action on Proposed Ordinance by Supervisor's Daly and Ma Regarding the Driving Requirement for Taxicab and Ramped Taxi Permitholders and Permit Applicants. [POSSIBLE ACTION] (Proposed Ordinance) (Continued from 8/12/03 and 9/23/03)
7. Hearing and Discussion of Submitted 2003 Semi-Annual Taxicab Dispatch Reports. [Report]
8. Hearing and Discussion of the 2003 Taxicab Color Scheme Audit Report.
9. Adjournment

Taxicab Commission Agenda
Regular Meeting
October 14, 2003 6:30 PM
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of a Driver of Public Vehicle for Hire permit to:

Mansour A. Abdalla	Hailu B. Abje	Ayham M Abulail	Foster S. Adesoye
Darryl G. Agurs	Saeed Ahmed	Moulay Alaoui	Ephrem Y. Alem
Amaefule Anyanjor	Harry L. Arnson	Eloy Arreola	Boris Arsoyev
Somsak Asavathamavut	Nasser A. Assi	Terry T. Aye	Mahmood Y. Azam
Jamal A. Bakhait	Sukhrob Bakhridinov	Glenn L. Barker	Kushal Basnyat
Claudio D. Bebianno	Asfaw A. Bedada	Aladin Bedri	Abdelghani Belarbi
Eduardo G. Borges	Nathaniel F. Butler	Major S. Chahal	Douglas T. Chan
Wing N. Chan	Zhong Y. Chen	Tony S. T. Cheung	Sophorn Chhim
Nathaniel T. Cogley	Ian A. Cotler	Jose O. Desousa	Reyheo Espiritu
Rhodora I. Espiritu	Emmanuel C. Ezeala	Ifeanyi M. Ezeh	Roberto G. Ferreira
William J. Foretich	Carmel Fride	Marcius A. Furtado	Abdelmogith E. Gadalla
Adane B. Gedamu	Elias B. Girma	Daniel Gomez	Charles Grays
Mario A. Gutierrez	Wail M. Hayek	Man V. Huynh	Mohammad S. Islam
Amjad Z. Jabari	Leandro S. Junqueira	Jimmy K.B. Kai	Gul N. Khan
Rafiq Khan	David E. Kharsa	Tarek S. Kharsa	Ronald F. Kimbrell
Maung W. Latt	Joseph C. Ledwith	Ang S. Lim	Luiz A. Lima
Alexandre Limoeiro	Kelvin L.M.Q. Lin	Kyaw Lin	Bernardo S. Lopez
Elias S. Lukumay	Sukwinder S. Mann	Jeffrey A. Martinez	Jose E. Martinez
Khin M. Maung	Tin M. Maung	Felix M. Mendelson	Victor I. Mishchenko
Walied M.A.T. Mohamed	Hamed A. Mohammad	Chand Mohan	Mourad Mokrini
Nadeem Mubarak	Nidal I. Musleh	Coleen C. McManigal	Thet Y. Naing
Paulo S.B.D. Nascimento	Mohammad Nawaz	Cyrillo P. Neto	Ali A. Nur
Ferdinand A. Okonji	Delubio L.D. Paula	Victor I. Pearce	Vincent I. Pearce
Dennis D. Presson	Nizar Y. Qatami	Darlene B. Queroz	Daniel T. Regalado
Edmar A. Rocha	Steven A. Rodriguez	Sofiane T. Sahli	Altamiro J.D. Santos
Mohammad Salim	Andrew P. Saw	Gurprit Singh	Robert F. Sotelo
Benedict J. Spalding, Jr.	Abimael B.D. Silva	Bikramjit Singh	Mykhaylo Sinkevych
Yong J. Tan	Eyob K. Tesfazion	Gurvinder S. Toor	Huy Q. Tran
Nam B. Trang	Miguel D. Vargas	Paul S. Visperas	Thuan V. Vo
Universe B. Walker	Chot Wangdee	Karolyn E. White	Garrick H. Washington
James J. Williams	Ho Wong	Maurice L. Woods	Shumet D. Wudue
Daniel Yadeta	Andy K.S. Yu	Victor Yuen	Otaman A. Zughayer

B. Recommendation of the Police Taxicab Detail for approval of a Ramp Taxicab Medallion Holder permit to:

	Medallion Holder	Cab #	Color Scheme	
1.	Makhail Gorelik	9022	B & W Checker Cab	(cont'd 9/23/03)
2.	Grigory Lubarsky	9023	B & W Checker Cab	(cont'd 9/23/03)
3.	Kim Rozenkrants	9044	B & W Checker Cab	(cont'd 9/23/03)
4.	Wallace Tan	9048	Yellow Cab*	(cont'd 9/23/03)
5.	Linh V. Truong	9040	Bay Cab	

*Original application was for Bay Cab, amendment submitted 09/30/03.

C. Recommendation of the Police Taxicab Detail for approval of Taxicab Color Scheme changes to, (Approval is conditional upon the applicants submitting Liability and Workers Compensation Insurance Certification indicating appropriate coverage to operate under the new Color Scheme, notification to the Taxi Detail for the Specific Date of change and that such change be completed within twenty-one days for Commission Approval):

	Medallion Holder	Cab #	Change
1.	Thomas O'Brien	661	Yellow Cab to SF Taxi Cab

NOTICE

This is not an agenda item for this meeting, but serves as a public notice

Special 10-Day Notice of Taxi Commission Rule Change for October 28, 2003 Taxi Commission Meeting

1. New Vehicle Service Life.
2. Spare Vehicles Inspection Check.

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the October 28, 2003 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER:
None

RAMPED TAXICAB:
None

COLOR SCHEME CHANGES:
None

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers.

Copies of the commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm.
(Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact Sonya Banks at (415) 554-7750, at least 72 hours prior to the meeting. Late requests will be honored if possible.
Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact Sonya Banks at (415) 554-7750, at least 72 hours prior to the meeting. Late request will be honored if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities may call Sonya Banks at (415) 554-7750 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90. For information about MUNI accessible services, call (415) 923-6142.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall, Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 234, by phone at (415) 554-7724, by fax at (415) 554-5163 or by e-mail at Donna_Hall@ci.sf.ca.us
Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Donna Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

SAN FRANCISCO LOBBYIST ORDINANCE

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code § 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site: sfgov.org/ethics.

WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
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MIN PAEK, COMMISSIONER
MARTIN SMITH, COMMISSIONER

NAOMI M. LITTLE, EXECUTIVE DIRECTOR

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MINUTES

Commission Chambers – Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
October 14, 2003
6:30 PM

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Regular Meeting

PRESENT: Jackson; Gillespie; Barry; Breslin; McGuire; Paek; Smith

ABSENT: None

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:39 PM

STAFF IN ATTENDANCE: Naomi Little, Executive Director, Sonya Banks, Annette Taylor - Taxi Commission; Captain Thomas O'Neill, Lieutenant Jeanne Schlotz, Sergeant Vince Simpson, Inspector Farrell Suslow – Taxi Detail

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL – The Roll Call showed a quorum was present.**

3. **APPROVAL OF THE MINUTES FOR THE SEPTEMBER 23, 2003 TAXI COMMISSION MEETING**

Commissioner Smith moved the approval of the minutes. Commissioner Gillespie seconded the motion.

AYES: Jackson, Gillespie, Barry, Paek, Smith **NOES:** None
ABSENT: Breslin, McGuire

4. **APPROVAL OF THE CONSENT CALENDAR**

Commissioner Barry requested to sever items 4B 1-3 and 5 of the Consent Calendar.

4A-B Driver of Public Vehicle for Hire Permits and Ramp Taxi Medallion Holder Permits
Commissioner Smith moved the approval of 4A, 4B 1-3 and 5 of the Consent Calendar. Commissioner Gillespie seconded the motion.

AYES: Jackson, Gillespie, McGuire, Paek, Smith **NOES:** Barry, Breslin

4B4 Ramp Taxi Medallion Holder Permit
Commissioner Barry moved the approval of 4B4 of the Consent Calendar. Commissioner Smith seconded

the motion.

AYES: Jackson, Barry, Breslin, McGuire, Paek, Smith **NOES:** None
RECUSED: Gillespie

4C **Taxi Color Scheme Change**

Commissioner Barry moved the approval of C1 of the Consent Calendar. Commissioner Smith seconded the motion.

AYES: Jackson, Barry, Breslin, McGuire, Paek, Smith **NOES:** None
RECUSED: Gillespie

PUBLIC COMMENT

- Steve **Johnston:** He urged the Commissioners to approve the ramp permits on the consent calendar. He states it is not true that Black & Checker Cab do not provide service to the disabled community. He states no driver at Black & White has refused service to the disabled community. All drivers at Black & White are independent contractors. It is not appropriate for the Commission to single out a particular cab company.
- **Gratchia Makarian, Color Scheme Holder:** He was disappointed by the decision of the Commissioners at the 9/23/03 meeting to not approve of the ramp permits going to Black & White and Bay Cab Companies. He believes the Commission's decision was based upon Henry Kim's statement, which were incorrect. Recommended the Commission reconsider their decision and grant the ramp permit to Black & White and Bay Cab Companies.
- **Henry Kim, S.F.T.A.:** Responded to Gratchia Makarian's comments. At the meeting on 9/23/03, Marc Soto, General Manager of Paratransit Broker, informed the Commission that Luxor and Yellow Cab Companies do 99% of the paratransit pick-ups. Suggested improving the current ramp procedures. He recommended not rewarding taxi companies that do not service the disabled community with additional ramp permits.
- **Berhane Assefa, ABC Taxi:** He knows of other cab companies that pick up ramp orders other than Luxor and Yellow. He believes it is unfair for the Commission to take advise from one individual regarding which cab companies are picking up ramp orders.
- **Barry Taranto:** He submitted Linh Truong's waybills to the Commissioners for their review. He suggested ramp applicants be held accountable and add conditions before receiving a ramp permit.
- **Roger Cardenas, Manager at Bay Cab:** He believes that Henry Kim is a liar because he never said that he did not want to participate in the paratransit program.
- **Bruce Oka:** He responded to Roger Cardenas' statement regarding participating in the paratransit program. He met with Gratchia Makarian of Black & White Checker. He encouraged the paratransit community to call Black & White Checker Cab Company for ramp taxi service.
- **Ed Burke:** Spoke in favor of Henry Kim's comments regarding which companies actually service the disabled community. He believes that drivers go to Black & White Checker solely because of economics.
- **Frank Fahy:** He feels the smaller cab companies can accommodate the disabled community.
- **Dominic Rodriguez:** The equipment used in ramp taxis is expensive. Recommended incentives to drivers who pick up the disabled riders. Suggested creating a centralized dispatch service.

5. STAFF REPORT

Naomi Little, Executive Director: **1)** On October 1, 2003, the Controller sent its long-term release report to the Board of Supervisors and its recommendation on a cap for long term leases. On October 6, 2003, the Board of Supervisors Land Use Committee moved the current sunset provision pertaining to the gate and long-term leases until March 1, 2004. The report recommends that the Taxi Commission, in coordination with the Tax Collector, conduct a taxicab driver survey during the upcoming A-card renewals in December. In addition to the basic demographic information, the report will ask is the driver is a gas and gate user, weekly or monthly lease driver, long-term lease with a color scheme, and driver for someone with a long-term lease; **2)** On October 1, 2003 the Controller sent its report on Health Plan Alternatives, Funding & Implementation to the Board of Supervisors. There is no hearing scheduled to discuss this report as a whole as of yet. This report is extremely comprehensive. However, the Controller is recommending that in the same survey being sent out with A-card renewals, ask specific questions that will determine where do drivers currently receive health care services; how many drivers already have health coverage? How many would participate in a new health plan or program if it were offered and made voluntary; what are the demographic characteristics of this group; what do drivers feel they can afford to contribute toward health insurance costs? **3)** The November 11, 2003 Taxi Commission meeting is being rescheduled to Friday, November

14th due to the Veterans Day Holiday. The meeting will be held at the Southeast Community Facility – Alex L. Pitcher Jr. Community Room, 1800 Oakdale Avenue from 12:00 p.m. – 3:00 p.m.; 4) On October 8, 2003, the Airport Commission was going to adopt a resolution that would change the Airport Clean Vehicle Taxi program by reducing the number of daily front-of-the-line privileges (one short per shift, 2 per day for everybody), extend the number of months the incentives could be taken, and cap the number of clean air taxicabs eligible for the program at 160. However, the resolution was not adopted due to a lack of a quorum. The item will be heard on October 21, 2003. Other alternatives the airport is supporting are: (a) The Taxi Commission mandating a percentage of the taxicab fleet to be clean fuel (b) Restricting taxicab pick-ups at SFO to alternative days. Finally, I am meeting regularly with the City's Risk Manager, and the Airport to discuss the feasibility of establishing a workers compensation pool. 5) Annette Taylor from my office is going to give an update on the five corporations that have corporate medallions. The Commission needs to schedule a hearing to determine whether or not if a shareholders dies and that stock is canceled it is considered a transfer because cancellation of stock increases the value of the remaining stock.

Annette Taylor, S.F. Taxi Commission: Gave an update on the five remaining corporate medallions.

PUBLIC COMMENT

- **Barry Taranto:** Suggested reading carefully the letter from John Martin, S.F. Airport, regarding CNG. Suggest holding a hearing on the airport proposal and corporate medallions.
- **Mark Gruberg:** He informed the Commission the Board of Appeals would be hearing the Lazar and Welch cases on October 22, 2003, Rm. 416 at 5:00 p.m.

6. TAXI COMMISSION ANNOUNCEMENTS AND REQUEST TO CALENDAR ITEMS

Commissioner Barry: Would like to see a formal written ramp agreement pact created by Color Schemes, the disabled community and the Taxi Commission before approving any more ramp medallions. Request to calendar: 1) Moratorium on the replacement of medallions; 2) Alternative to the taxi top light; 3) Review the process on what qualifications are needed for applicants to be placed on the medallion waiting list.
Commissioner Smith: Request to calendar for discussion and possible action a hearing on his wish list for taxi stands in San Francisco and ramp taxi permit procedures.

7. PUBLIC COMMENT

- **Barry Taranto:** The recommendations from the DPT Hearing Officer are unfair. Suggest looking into other options such as suspension instead of revocation. The Commissioners approved a ramp permit to Linh Truong who said he does not make money from picking up ramp orders. This is a disservice to the ramp taxi industry. The dispatch/driver logs have not been up-to-date which makes it hard to investigate the ramp applicants. Thanked Commissioners Barry and Breslin for representing the disabled community. Suggested reminding the public where taxi stands will be located at on Halloween.
- **Keith Raskin, Owner of World Wide Cab:** He is disappointed with the Taxi Commission regarding the CNG vehicle outcome. CNG drivers are fighting for their contracts at the airport. The cost to maintain a CNG vehicle is expensive.
- **Jean-Michel Normand:** He believes the City does not see a pro-active push for taxi stands by the Commission. Recommended posting taxi signs so the riding public will know the location of taxi stands. Suggest the taxi industry be reformed.
- **Henry Kim, SFTA:** He understands the Commission's decision to grant the ramp permits to tonight's applicants because they fulfilled the existing requirement. The majority of ramp taxis are not at the companies who do the most pick ups. Recommended changing the requirements needed for ramp permits. Suggested giving the ramp permits to drivers who actually service the paratransit community.

8. HEARING AND POSSIBLE ACTION ON PROPOSED ORDINANCE BY SUPERVISORS DALY AND MA REGARDING THE DRIVING REQUIREMENT FOR TAXICAB AND RAMPED TAXI PERMITHOLDERS AND PERMIT APPLICANTS.

President Jackson requested to have this item continued.

9. HEARING AND DISCUSSION OF THE SUBMITTED 2003 SEMI-ANNUAL TAXICAB DISPATCH REPORTS.

Annette Taylor, SF Taxi Commission: Gave a summary on the semi-annual taxicab dispatch report.

Various dispatch companies answered questions from the Commissioners.

PUBLIC COMMENT

- **Barry Taranto:** Concerned with the report submitted by Regents. It is remarkable that Luxor has almost as many calls as Yellow with only half the taxi fleet.
- **Frank Fahy:** He explained the radio dispatch at National Cab. He believes the Commission is looking for the number of complaints. Suggested when a customer have a complaint against a cab company, the customer should call the Executive Director's phone number which he recommends being posted at every dispatch company.
- **Keith Raskin, Worldwide Cab:** Commissioner Barry's comments are refreshing. He explained different technology dispatch systems. Any questions or problems regarding customer service in the taxi industry could be solved with today's technology.
- **Jim Gillespie:** When preparing the dispatch report in the future, he suggested looking at realistic numbers the company could provide, not just boxes to be checked.
- **Gratchia Makarian:** Some cab drivers are independent contractors and cannot be forced to pick up a specific fare. Recommended cab companies and drivers are held accountable when customers are not picked up.

10. HEARING AND DISCUSSION OF THE 2003 TAXICAB COLOR SCHEME AUDIT REPORTS.

Sergeant Vince Simpson, SFPD, Taxi Detail presented the color scheme audit report.

PUBLIC COMMENT

- **Barry Taranto:** Thanked Taxi Detail for conducting a surprise audit. Recommended serious action be taken on companies who do not maintain driver rosters.

11. ADJOURNMENT

Adjourned at 9:59 p.m.

Respectfully submitted,

Sonya Banks
Commission Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR WILLIE L. BROWN JR.

ARTHUR JACKSON, PRESIDENT
PAUL GILLESPIE, VICE PRESIDENT
JACK BARRY, COMMISSIONER
PATRICIA BRESLIN, COMMISSIONER
MARY McGUIRE, COMMISSIONER
MIN PAEK, COMMISSIONER
MARTIN SMITH, COMMISSIONER

NAOMI LITTLE, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

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OCT 24 2003

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October 28, 2003 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

10-24-03A11:56 RCVD

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Minutes for the October 14, 2003 Taxicab Commission Meeting. [ACTION]
4. Approval of the Consent Calendar [ACTION]
5. Hearing and Discussion on a Taxicab Driver Survey to be Administered During the Upcoming A-card Renewal Process in December and January to Facilitate Data Collection and Analysis of Critical Demographics. [DISCUSSION] (Memo and Draft Survey from Exec. Dir.)
6. Staff Report
7. Taxi Commission Announcements and Request to Calendar Items
8. Public Comment (Please limit public comment to items not on the agenda) (2 minute limit)
9. Report by San Francisco Airport Mechanics and SFPD Ground Transportation Unit Regarding the Results of the 2003 Taxicab Vehicle Inspections. [DISCUSSION] (Report by Airport Mechanics)
10. Hearing and Possible Approval of Taxicab Vehicle Life Rule Amendment and Guidelines. [ACTION] (Proposed Amendment)
11. Hearing and Possible Action of Addition to Spare Taxicabs Rules and Guidelines. [ACTION] (Proposed Amendment)
12. Hearing and Possible Approval of a Resolution Urging the Board of Supervisors to Amend the Municipal Police Code by Adding Sections 1186, 1187 and 1188 Establishing Administrative Penalties for Violating the Full-time Driving Requirement, the Taxi Commission Rules & Regulations and Establishing Administrative Review of the Decision by the Taxi Commission in Imposing Administrative Penalties. [ACTION] (Proposed Language)
13. Adjournment

Taxicab Commission Agenda
Regular Meeting
October 28, 2003 6:30 PM
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of a Driver of Public Vehicle for Hire permit to:

Haytham Abuelazaim	Mohandarab Aitalislimane	Bassam Alkenni	Jamal Almaznai
Amha Atakilti	Adnan Atshan	Enele Auimatagi	Luis Batista
John Blackett	Dennis Breit	Andre Carvalho	Gavin Coombs
Duncan Davidson	Russell Davison	A. Hakim Dawah	Boris Faer
Marat Gadzbhiyev	Mounir Guerrib	Eyob Haile	Mehdi Ismail
Vijay Kumar (68)	Vijay Kumar (65)	Eric Laughton	Leandro Lemos
Phu Mac	Muddasir Malik	Henrique Martinscasado	Robert Mikeshin
Brian Morris	Fahmi Noomani	Khalil Rantisi	Lester Repas
Roger Saccomano	Jason San	Mohamed Shabaan	Manjinder Singh
Hoa To			

NOTICE

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TAXICAB PERMIT HOLDER:
None

RAMPED TAXICAB:
None

COLOR SCHEME CHANGES:
Abdul Rahimi
Basem Baqleh

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers.

Copies of the commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm.

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KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall, Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 234, by phone at (415) 554-7724, by fax at (415) 554-5163 or by e-mail at Donna_Hall@ci.sf.ca.us
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SAN FRANCISCO LOBBYIST ORDINANCE

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CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
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MARY McGUIRE, COMMISSIONER
MIN PAEK, COMMISSIONER
MARTIN SMITH, COMMISSIONER

NAOMI M. LITTLE, EXECUTIVE DIRECTOR

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MINUTES

Commission Chambers – Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
October 28, 2003
6:30 PM

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JAN - 9 2004

SAN FRANCISCO
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Regular Meeting

PRESENT: Jackson; Gillespie; Barry; Breslin; McGuire; Smith

ABSENT: Paek

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:30 PM

STAFF IN ATTENDANCE: Executive Director Naomi Little, Sonya Banks, Annette Taylor - Taxi Commission; Captain Thomas O'Neill, Lieutenant Jeanne Schlotz, Sergeant Vince Simpson, Inspector Farrell Suslow – Taxi Detail

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL – The Roll Call showed a quorum was present.**

3. **APPROVAL OF THE MINUTES FOR THE OCTOBER 14, 2003 TAXI COMMISSION MEETING**

Commissioner Smith moved the approval of the minutes. Commissioner Gillespie seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Smith **NOES:** None
ABSENT: Paek

PUBLIC COMMENT

- **Peter Witt:** He has been endorsed by over a 1000 taxi drivers to be their representative at the Commission hearings. The minutes from 8/26/03 did not reflect his exact comments regarding his surveys. He believes his rights have been violated.

4. **APPROVAL OF THE CONSENT CALENDAR**

4A Driver of Public Vehicle for Hire Permits

Commissioner Gillespie moved the approval of the Consent Calendar. Commissioner Barry seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Smith NOES: None
ABSENT: Paek

PUBLIC COMMENT

- Peter Witt: Questioned if the taxi industry was attracting any US citizens. Because there are no new cabs on the streets only more drivers are being added. Questioned if public comment was going to be limited to two minutes?

5. HEARING AND DISCUSSION ON A TAXICAB DRIVER SURVEY TO BE ADMINISTERED DURING THE UPCOMING A-CARD RENEWAL PROCESS IN DECEMBER AND JANUARY TO FACILITATE DATE COLLECTION AND ANALYSIS OF CRITICAL DEMOGRAPHICS.

Todd Rydstrom, Director, Controller's Office: Presented the study on long-term leases and health care benefits for taxi drivers in San Francisco.
Jean Frazier, Chief Executive Officer, S. F. Health Plan: Gave a presentation on the health care plan portion of the survey.
D.J. Dull, Tax Collector's Office: Presented a sample of the taxi drivers survey form.

PUBLIC COMMENT

- Barry Taranto: Thanked the City departments for the taxi driver survey. Suggested the Taxi Commission staff assist the Tax Collector's office with the survey. Recommended drivers turn in their surveys on the same day.
- Peter Witt: Thanked President Jackson. Suggested offering someone else the opportunity to represent the drivers on the Commission.
- Mark Gruberg: Suggested including size of household and # of dependents on the survey. Recommended sending notices to taxi drivers informing them of what the survey forms will be used for.
- Tara Housman: She questioned what the information would be used for? In favor of the driver survey.

6. STAFF REPORT

Naomi Little, Executive Director: (1) On Halloween, Friday, October 31, 2003 there will be four temporary taxi stands: 1) South west corner of 19th and Castro Street; 2) North East corner of 16th and Castro Streets; 3) North East Corner of 18th and Church Streets; 4) 14th and Market (Reservoir St.) corner across from Safeway. The Mission Police Station will be posting two no parking signs at each location. The taxi zone will accommodate 6 to 8 taxicabs. All cab drivers who are working Halloween night, please use these locations to pick up passengers from the Halloween celebration in the Castro district. In addition, this information will be faxed to all the taxi companies and dispatchers along with a list of street closures. (2) On Wednesday, October 22, 2003, the Board of Appeals upheld the decision of the Taxi Commission regarding the Lazar & Welch appeals. Permits 109 &138 formally held by William Lazar are being held by John Lazar. Permits 684-691 formally held by Georgette Welch are now held in the names of Phillip Welch and Amy Welch. (3) After meeting with President Jackson and Commissioner Breslin, the insurance task force will be chaired by Commissioner Breslin. Commissioners Paek and Smith will also be on the insurance task force. A meeting will be schedule in December and the public is welcomed to attend.

Annette Taylor, S.F. Taxi Commission: Gave update on the Semi-Annual Dispatch Report.

PUBLIC COMMENT

- Peter Witt: Thanked Annette Taylor for the updated dispatch report. Recommended one month advance notice should had been given out regarding the Halloween taxi stands. Suggested obtaining permanent taxi stands. Questioned how items get calendared on the agenda.
- Barry Taranto: He worked with the Commission staff to get the temporary Halloween taxi stands. Recommended taxi drivers use these stands to pick up/drop off passengers to and from the Halloween celebrations in the Castro district. Encouraged the dispatcher service to announce the taxi stand locations. Hopefully, by next Tuesday, the Airport Commission will deal with the CNG issues.

7. TAXI COMMISSION ANNOUNCEMENTS AND REQUEST TO CALENDAR ITEMS

Commissioner Barry: 1) Requested to calendar for discussion the topic of adding a surcharge to the current fare structure which would add a $1.00 for every additional passenger per trip. 2) A discussion on ambassador class service.
Commissioner Smith: Would like to hold an open discussion on workers' compensation. Suggested if drivers want to work in San Francisco and S.F. Airport they must carry workers' compensation.
Commissioner Gillespie: He hopes the taxi stand locations works. He wished everyone a Happy Halloween. Request to schedule a meeting with the bike coalition. Urged the public to vote.

PUBLIC COMMENT

- **Peter Witt:** He believes that most of Bruce Schaller's report has incomplete data. Bruce Schaller's methodology is thorough but obsolete. Suggested using graphs instead of numbers when preparing reports. Suggested establishing a dispatch task force.

8. PUBLIC COMMENT

- **Mark Gruberg:** It is a historic project that San Francisco is embarking on in providing taxi drivers with health services. There is no other city in the Country providing health services to taxi drivers. He discussed a survey that was generated by Commissioner Gillespie in 1999. United Taxicab Workers, working in conjuction with with Supervisor Ammiano, made providing taxi drivers with health services a priority, which is becoming a reality.
- **Barry Taranto:** The Ethic Commission released a report that shows the Welch trust gave $2500.00 to the Golden Gate Restaurant Association. Requested assistance from Commissioner Breslin regarding the problems at the Omni Hotel. Requested the Commission hold a hearing on cab companies keeping adequate driver rosters especially on long-term lease drivers. Concerned that Basem Baqleh's ramp permit will not be adequately operated because he is single shifting.
- **Tara Housman:** She provided Halloween safety tips. (example: check your brakes, beware of pumpkin shells and pedestrians, etc.)
- **Peter Witt:** He suggested enforcing the limousine laws by pelting them with eggs. He believes the Commission has refused to acknowledge receipt of his surveys. He believes the evidence he has submitted is being ignored because he is a taxi driver.

9. REPORT BY SAN FRANCISCO AIRPORT MECHANICS AND SFPD GROUND TRANSPORTATION UNIT REGARDING THE RESULTS OF THE 2003 TAXICAB VEHICLE INSPECTIONS.

This item is being continued.

10. HEARING AND POSSIBLE APPROVAL OF TAXICAB VEHICLE LIFE RULE AMENDMENT AND GUIDELINES.

This item is being continued.

Sergeant Vince Simpson, S.F.P.D. Taxi Detail presented this item.

PUBLIC COMMENT

- **Henry Kim:** He addressed comments made by Vice President Gillespie. Most cab companies work very hard to put good vehicles on the streets. Cab drivers are committed to providing good services. There are plenty of good cabs in excellent condition with 350,000 miles. He believes these vehicles should not be taken out of service.

11. HEARING AND POSSIBLE ACTION OF AN ADDITION TO SPARE TAXICABS RULES AND GUIDELINES.

This item is being continued.

12. **HEARING AND POSSIBLE APPROVAL OF A RESOLUTION URGING THE BOARD OF SUPERVISORS TO AMEND THE MUNICIPAL POLICE CODE BY ADDING SECTIONS 1186, 1187 AND 1188 ESTABLISHING ADMINISTRATIVE PENALTIES FOR VIOLATING THE FULL-TIME DRIVING REQUIREMENT, THE TAXI COMMISSION RULES & REGULATIONS AND ESTABLISHING ADMINISTRATIVE REVIEW OF THE DECISION BY THE TAXI COMMISSION IN IMPOSING ADMINISTRATIVE PENALTIES.**

Commissioner Smith moved the approval of establishing Taxi Commission administrative penalties. Commissioner Breslin seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Smith **NOES:** None
ABSENT: Paek

PUBLIC COMMENT

- **Tara Housman:** Would like to have reviewed the administrative penalty fines before the Commission made their ruling.
- **Steve Johnston:** Suggested returning the discretionary power to S.F.P.D., especially for minor offense.
- **Barry Taranto:** He reviewed the administrative penalties and suggested posting them to the Taxi Commission website.

13. **ADJOURNMENT**

Adjourned at 8:50 p.m.

Respectfully submitted,

Sonya Banks
Commission Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR WILLIE L. BROWN JR.

ARTHUR JACKSON, PRESIDENT
PAUL GILLESPIE, VICE PRESIDENT
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MIN PAEK, COMMISSIONER
MARTIN SMITH, COMMISSIONER

NAOMI LITTLE, EXECUTIVE DIRECTOR

TAXICAB COMMISSION AGENDA
REGULAR MEETING

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November 14, 2003 at 12:00 p.m.
Southeast Community Facility, Alex L. Pitcher Jr. Community Room
1800 Oakdale Avenue, San Francisco, CA 94124

11-05-03P03:34 RCVD

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Minutes for the October 28, 2003 Taxicab Commission Meeting. [ACTION]
4. Approval of the Consent Calendar. [ACTION]
5. Staff Report.
6. Taxi Commission Announcements and Request to Calendar Items.
7. Public Comment. (Please limit public comment to items not on the agenda)
8. Hearing and Discussion on Tackling Taxicab Refusals in the Bayview/Hunters Point Neighborhoods. [DISCUSSION]
9. Hearing and Possible Approval of Bicycle Coalition Taxi Warning Stickers. [ACTION]
10. Adjournment

Taxicab Commission Agenda
Regular Meeting
November 14, 2003 12:00 PM
Southeast Community Facility
Alex L. Pitcher Jr. Community Room

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of a Driver of Public Vehicle for Hire permit to:

Wallace Adams	Nasser Algazali	Reyadh Almehamedawy	Fabiano Andrade
Yenenesh Anteneh	Anatoliy Aronov	Adil Asslam	Clint Becker
Sultan Bhatti	Gabriel Bosco	Taoufik Bouhalkoum	Kevin Brady
Mohamed Chakib	Nassim Chouadra	Marcos Cintra	Dung Diep
Eudo Ferreira	Osvaldson Farrer	Allan Flores	Carlos Goncalves
Abuena Hall	Ramzi Harb	Teall Henderson	Ryuji Hirayanagi
Tai Ho	Gerald Hollins	David Hurley	Hung Huynh
Yevgeniy Igonkin	Sergei Ivanov	Vladimir Karchebnyy	J. Michael Kochera
Jagmohan Lal	Ken Lam	Henry Lee	Olivio Lenza
Pedro Lima	Igor Liokumovich	Jeffrey Mann	Giuliana Mello
Michael Mekonenn	Olaoluwa Olaoson	Kwock Ong	Helia Repezza
Helder Pereira	Carlos Rocha	Mohamed Saad	Stanam Singh
Cristiano Souza	Yui Tai	Andy Tan	Michael Whitmore

B. Recommendation of the Police Taxicab Detail for approval of Taxicab Color Scheme changes to, (Approval is conditional upon the applicants submitting Liability and Workers Compensation insurance certification indicating appropriate coverage to operate under the new Color Scheme, notification to the Taxi Detail of the Specific Date of change and that such change be completed within twenty-one days of Commission Approval):

	Medallion Holder	Cab #	Change
1.	Abdul Rahimi	1135	49er Cab to Bay Cab
2.	Basem Baqleh	9031	DeSoto Cab to B & W Checker

C. Approval of Final Decision by the Executive Director Regarding Recommendations Submitted by Taxi Commission Hearing Officers.

1. Approval of Revocation of Permit # 1081 Held by Permitholder Blithe Montana.
2. Approval of Revocation of Driver Public Passenger Vehicle for Hire Permit Held by Sebastian DeSouza.

NOTICE

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TAXICAB PERMIT HOLDER:
None

RAMPED TAXICAB:
None

COLOR SCHEME CHANGES:
None

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PATRICIA BRESLIN, COMMISSIONER
MARY McGUIRE, COMMISSIONER
MIN PAEK, COMMISSIONER
MARTIN SMITH, COMMISSIONER

NAOMI M. LITTLE, EXECUTIVE DIRECTOR

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11/14/03

MINUTES

Southeast Community Facility, Alex L. Pitcher Jr. Community Room
1800 Oakdale Avenue, San Francisco, CA 94124
November 14, 2003
12:00 PM

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JAN - 9 2004

SAN FRANCISCO
PUBLIC LIBRARY

Regular Meeting

PRESENT: Jackson; Gillespie; Barry; Breslin; McGuire; Paek; Smith

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 12:10 PM

STAFF IN ATTENDANCE: Executive Director Naomi Little, Sonya Banks, Annette Taylor - Taxi Commission; Captain Thomas O'Neill, Lieutenant Jeanne Schlotz, Inspector Farrell Suslow – Taxi Detail

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL – The Roll Call showed a quorum was present.**

3. **APPROVAL OF THE MINUTES FOR THE OCTOBER 28, 2003 TAXI COMMISSION MEETING**

Commissioner Smith moved the approval of the minutes. Commissioner Gillespie seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek, Smith **NOES:** None

4. **APPROVAL OF THE CONSENT CALENDAR**

Commissioner Gillespie requested to sever 4C1 and 2 of the Consent Calendar.

4A Driver of Public Vehicle for Hire Permits

Commissioner Gillespie moved the approval of 4A of the Consent Calendar. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek, Smith **NOES:** None

4B Color Scheme Changes

4B1 Commissioner Gillespie moved the approval of medallion #1135 held by Abdul Rahimi to Bay Cab. Commissioner Breslin seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek, Smith **NOES:** None

PUBLIC COMMENT

- **Barry Taranto:** He was glad to see that Mr. Rahimi has found another color scheme to run his medallion. Concerned that ramp medallion #9031 held by Basem Baqleh is being single shifted. Ramp medallions need to be out on the streets servicing the disabled community.

4B2 Commissioner Smith moved the approval of ramp medallion #9031 held by Basem Bagleh to Black & White Checker with the condition the applicant must provide a monthly report on how many ramp orders he picks up. Commissioner Paek seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek, Smith **NOES:** None

4C Approval of Final Decision by the Executive Director regarding recommendations submitted by Taxi Commission Hearing Officers.

4C1 Commissioner Gillespie moved to approve the revocation of medallion #1081 held by Blithe Montana. Commissioner Breslin seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, Paek, Smith **NOES:** None
RECUSED: McGuire

4C2 Commissioner Gillespie moved to approve the revocation of Sebastian DeSouza's Driver of Public Passenger for Hire Permit. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, Paek, Smith **NOES:** None

PUBLIC COMMENT

- **Barry Taranto:** Selling or buying paratransit scrip is serious but believes revocation may be to harsh, suggested suspension with a probation period.

5. STAFF REPORT

Naomi Little, Executive Director: (1) On November 4th, the Airport Commission approved the Clean Vehicle Resolution provided that all existing and future CNG vehicles up to 140 participating in the program will receive one short line privilege per shift for the four-year life of the vehicle. Effective November 5th, Airport staff instructed dispatchers to again institute the two short for one long dispatching procedures in the main lot. The time procedures will remain in effect. Front-of-the-line privileges can be taken from 9:00 a.m.-2:00 p.m. and 5:00 p.m. –10:00 p.m. (2) On November 4th Proposition N, the Disability for Permit Holders, failed by 71.99% of the vote. (3) The first Insurance Task Force meeting will be held on Wednesday, December 10th from 9:00 a.m. – 12:30 p.m. in City Hall, Room 416. After speaking with President Jackson, Commissioner Breslin will chair the meeting. Commissioner's Smith and Paek will also participate. Commission staff will send out notice to the public very soon. (4) On Wednesday, November 19th the Board of Appeals scheduled John Arkeder, James Neilly and the Welch's rehearing request. (5) The Tax Collector will be issuing bills next week to start the process of the renewing A-cards. You must appear in person to renew you're A-card. The English version of the survey will be available the last two weeks in November. The survey will be available in different languages in December.

6. TAXI COMMISSION ANNOUNCEMENTS AND REQUEST TO CALENDAR ITEMS

Commissioner Barry: The word "scrip" does not have the letter "t" when referring to paratransit scrip. It has come to his attention that many taxi drivers do not know their way around the Presidio. Requested to review the knowledge test that is given to become a taxi driver.
Commissioner Smith: Requested to calendar deleting SB29 ordinance #10699 regarding carrying a map in plastic covering in the back of taxicabs. He requested to hold a discussion on taxi stands. Requested a hearing on CNG vehicles because the fueling systems are not readily assessable. Would like to revive the 4-year life for new vehicles. Recommended that dispatcher be allowed to give permit holders any taxi that is available.
Commissioner Paek: It is necessary to hold community meetings in different communities. The Commission needs

to hear from the community in order to get input for providing improved taxi services to those communities.
Commissioner McGuire: Requested to calendar for action requiring all San Francisco taxis servicing the San Francisco International Airport be required to be fully covered by workers compensation insurance.
Commissioner Breslin: She wanted to support Commissioner Paek's statement regarding obtaining community input for better taxi service to the communities.

PUBLIC COMMENT

- **Peter Witt:** He wanted clarification on what he could and could not speak about. Suggested holding a meeting on taxi stands, top lights and dispatch services in the future.
- **Tara Housman:** She agrees that it is difficult for taxi drivers to find their way around the Presidio. She believes there is no accurate map available to the public for the Presidio.
- **Jim Gillespie:** The Presidio Trust handed out maps to all the taxi companies detailing all the locations in the Presidio. Suggested re-circulating the map provided by the Presidio Trust to cab drivers.
- **Jane Bolig:** Suggested the Commission look into changing the drivers training to a work-study program that would allow drivers to get initial training, then go out and drive a taxi and perhaps one day a week for a month come back for re-training. The drivers could compare the experience they're getting on the streets with the knowledge that's available in the classroom.

7. PUBLIC COMMENT

- **Nathan Dwiri:** He offered suggestions on how to accomplish better service. Recommended continuously working to get taxi drivers to be courtesy, concerned and committed. In the future this should improve taxi service by at least 97% in San Francisco.
- **Barry Taranto:** Requested to adjourn today's meeting in memory of Dave Pruitt, a Yellow Cab employee. Some individuals on the ramp taxi pick up list are devoted to the program. Recommend holding a hearing to create standards for medallion holders. He would like assistance from Commissioner Breslin regarding the problems at the Omni Hotel. Cab drivers want to know how to stop hotel employees and limousines drivers from taking their fares? Suggested Commissioner Breslin arrange a meeting with the hotel council and driver representatives to discuss solutions. Since Proposition N did not pass, he suggested the Commission look into establishing disability for drivers.
- **Peter Witt:** He states that taxi drivers are independent contractors and to build up customer relationship is impossible. He believes there has been a mutual build up of mistrust between the drivers and the customers due to the dispatch service in the majority of cases.
- **Jane Bolig:** She heard there has been a series of robberies and assaults against taxi drivers. She suggested holding a meeting with representatives from the Taxi Commission, Taxi Industry, Media and the various police sections such as Taxi Detail and Robbery Detail. The photos that are taken during robberies should be publicized Citywide. The security cameras are used as instruments to catch robberies and discourage other criminal activities from occurring.
- **Inspector Farrell Suslow, SFPD Taxi Detail:** He is only aware of two or three robberies within the past weeks. In most cases, the pictures were downloaded and the suspect was apprehended before a flyer could be distributed.

8. HEARING AND DISCUSSION ON TACKLING TAXICAB REFUSALS IN THE BAYVIEW/HUNTERS POINT NEIGHBORHOODS.

- **Toyes Moses, Executive Director, Southeast Community Facility:** Welcomed and thanked the Commissioners to the Bayview community. He explained his personal experiences while traveling in taxicabs. He has received compliants from seniors in the area about the quality of taxicab services. Requested the Commissioners assistance in tackling taxicab refusals and providing better service to the customers living in the Bayview Hunters Point area.
- **Toni Delgado, Commission Secretary, Human Rights Commission:** Commended the Commission for conducting the meeting and responding the needs of the Bayview community. She explained some of the Human Right Commission's responsibility is to ensure non-discrimination and public accommodation ensuring all the citizens in our City that they can expect and receive equal treatment and level of services from all business in San Francisco. The Human Right Commission offers help and support to the Taxi Commission in dealing with providing quality taxicab services.
- **Zula Jones, Senior Contract Compliance Officer, Human Rights Commission:** She states that no plan would be good from a city's prospective without the input from the citizens who are going to be utilizing the plan. Suggested looking at the report provided by HRC. There are some recommendations from the

community that may address some of the Commission's concerns. Recommended the Taxi Commission continue to sponsor community meetings until a workable plan that is good for drivers and the community be in place.

- **James Fields, Senior Contract Compliance Officer, Human Rights Commission:** He shared experiences as a professionally dressed African American man who could not flag a cab. Suggested preferred medallion holders to service the Bayview Hunters Point community. Recommended educating the drivers and to provide better dispatch screening of potential fares.
- **Peter Witt:** He read a quote from a newspaper article regarding creating a new dispatch service. He believes drivers are driven by their earnings. He questioned how to deal with a flawed dispatch system. He feels that drivers do not come to the Bayview area because of safety issues.
- **Jim Gillespie:** He believes drivers have safety concerns. He offered suggestions on how to improve service to the Bayview community. Recommended when calling for services, the customer call from a home phone number and supply the dispatcher with a home address. If the taxi does not arrive, report it to the management of that taxi company, he believes service will increase. He suggested training the drivers as well as the customers.
- **Barry Taranto:** He was disappointed by the lack of community attendance at the meeting. When the light rail development is completed there will be a lot more fares from the Bayview community, he suggested drivers get familiar with the area. Safety is a concern for the drivers. Recommended drivers have police and dispatch support. Recommended educating the public on how they can get better service and by providing suggestions as to how to obtain better service.
- **Tara Housman:** She believes the crime situation has improved. Recommended providing the cab drivers with accurate maps of the Bayview area. Suggested to customers that by calling one cab company and becoming a regular customer there maybe a better chance of getting a cab. She suggested if residents report criminal activitys this would change the perception of the area.

9. HEARING AND POSSIBLE APPROVAL OF BICYCLE COALITION TAXI WARNING STICKERS.

Commissioner Gillespie moved to continue this item until November 25, 2003.

10. ADJOURNMENT

Adjourned in the memory of Dave Pruitt at 2:00 p.m.

Respectfully submitted,

Sonya Banks
Commission Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
MAYOR WILLIE L. BROWN JR.

ARTHUR JACKSON, PRESIDENT
PAUL GILLESPIE, VICE PRESIDENT
JACK BARRY, COMMISSIONER
PATRICIA BRESLIN, COMMISSIONER
MARY McGUIRE, COMMISSIONER
MIN PAEK, COMMISSIONER
MARTIN SMITH, COMMISSIONER

NAOMI LITTLE, EXECUTIVE DIRECTOR

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TAXICAB COMMISSION AGENDA
REGULAR MEETING

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11-21-03A10:09 RCVD

November 25, 2003 at 6:30 p.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Minutes for the November 14, 2003 Taxicab Commission Meeting. [ACTION]
4. Approval of the Consent Calendar [ACTION]
5. Staff Report
6. Taxi Commission Announcements and Request to Calendar Items
7. Public Comment (Please limit public comment to items not on the agenda)
8. Hearing and Possible Approval of Bicycle Coalition Taxi Warning Stickers. [ACTION] (Continued from 11/14/03)
9. Report by San Francisco Airport Mechanics and SFPD Ground Transportation Unit Regarding the Results of the 2003 Taxicab Vehicle Inspections. [DISCUSSION] (Report by Airport Mechanics) (Continued from 10/28/03)
10. Hearing and Possible Approval of Taxicab Vehicle Life Rule Amendment and Guidelines. [ACTION] (Proposed Amendment) (Continued from 10/28/03)
11. Hearing and Possible Action of Addition to Spare Taxicabs Rules and Guidelines [ACTION] (Proposed Amendment) (Continued from 10/28/03)
12. CLOSED SESSION ON ANTICIPATED LITIGATION
    a. Public comment on all matters pertaining to closed session.
    b. Vote on whether to hold closed session to confer with legal counsel (San Francisco Administrative Code sec. 67.10(d)) [ACTION]
    c. Closed session pursuant to Government Code sec. 54956.0 and San Francisco Administrative Code sec. 67.10(d): CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION.
13. Adjournment

Taxicab Commission Agenda
Regular Meeting
November 25, 2003 6:30 pm
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 400

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of Driver Public Vehicle permits to:

Nadeem Aslam	Yaser A. Beerawi	Said Belayadi	Sebastio P. Cassiano
George Chrisis	Marcelo D.S. Ferreira	Erik Hayes	Mohamed H.S. Hrizi
Gamal K. Ibrahim	Haroldo Josino	Artur Kesel	Mohamad Y.A. Khaleq
Rouslan Khamitov	Igor Kraiouchkine	Larry R. Littlejohn	Ricardo S. Ribeiro
Shevket Saatcioglu	Dieter E. Schmidt	Musie H. Tsegay	Saulo Wanderley

NOTICE

This is not an agenda item for this meeting, but serves as a public notice

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the December 9, 2003 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER: *None*

RAMPED TAXICAB: *None*

COLOR SCHEME CHANGES:
Jane Bolig #768 DeSoto Cab to National Cab

NEW COLOR SCHEME: *None*

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers.

Copies of the commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm.

(Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

ACCESSIBLE MEETING POLICY

Accessible seating for persons with disabilities (including those using wheelchairs) will be available.

Upon request, American Sign Language interpreters and/or sound enhancement systems will be available. Please contact Sonya Banks at (415) 554-7750, at least 72 hours prior to the meeting. Late requests will be honored if possible.
Upon request, minutes of meetings are available in alternative formats. If you require the use of a reader during a meeting, please contact Sonya Banks at (415) 554-7750, at least 72 hours prior to the meeting. Late request will be honored if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities may call Sonya Banks at (415) 554-7750 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The closest accessible BART station is located in the Civic Center at Market and Eighth Streets. Accessible MUNI lines serving this location are Nos. 42 and 90. For information about MUNI accessible services, call (415) 923-6142.

Accessible parking is available at the following locations: two (2) designated blue curb spaces on the southwest corner of McAllister Street at Van Ness Avenue; and the Performing Arts Garage (entrance on Grove Street between Franklin and Gough Streets, immediately behind the San Francisco War Memorial and Performing Arts Center).

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Donna Hall, Administrator by mail to Sunshine Ordinance Task force, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 234, by phone at (415) 554-7724, by fax at (415) 554-5163 or by e-mail at Donna_Hall@ci.sf.ca.us
Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Donna Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

SAN FRANCISCO LOBBYIST ORDINANCE

Attention: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code § 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site: sfgov.org/ethics.

WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
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ARTHUR M. JACKSON, PRESIDIENT
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MIN PAEK, COMMISSIONER
MARTIN SMITH, COMMISSIONER

NAOMI M. LITTLE, EXECUTIVE DIRECTOR

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MINUTES

Commission Chambers – Room 400
City Hall, 1 Dr. Carlton B. Goodlett Place
November 25, 2003
6:30 PM

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Regular Meeting

PRESENT: Jackson; Gillespie; Barry; Breslin; McGuire; Paek; Smith

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 6:30 PM

STAFF IN ATTENDANCE: Executive Director Naomi Little, Sonya Banks, Cynthia Kang-Welin - Taxi Commission; Captain Thomas O'Neill, Lieutenant Jeanne Schlotz, Sergeant Vince Simpson, Inspector Farrell Suslow – Taxi Detail

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL – The Roll Call showed a quorum was present.**

3. **APPROVAL OF THE MINUTES FOR THE NOVEMBER 14, 2003 TAXI COMMISSION MEETING**

Commissioner Barry moved the approval of the minutes. Commissioner Gillespie seconded the motion.

AYES: Jackson, Gillespie, Barry, Paek, Smith **NOES:** None
ABSENT: Breslin, McGuire

4. **APPROVAL OF THE CONSENT CALENDAR**

4A Driver of Public Vehicle for Hire Permits

Commissioner Gillespie moved the approval of 4A of the Consent Calendar. Commissioner Barry seconded the motion.

AYES: Jackson, Gillespie, Barry, Smith **NOES:** None
ABSENT: Breslin, McGuire

5. STAFF REPORT

Naomi Little, Executive Director: (1) December 9, 2003 Taxi Commission meeting has been changed to December 10, 2003 from 9:00 a.m. to 12:30 p.m. in Room 416 at City Hall. (2) The Annual Safety Hearing will be December 18, 2003, City Hall, Room 408 from 9:00 a.m. – 12:30 p.m. (3) There were no meeting rooms available in December at City Hall, therefore, the Insurance Task Force will meet in January. (4) The Public Convenience and Necessity Hearing will be the fourth Tuesday in January, which is January 27, 2004.

6. TAXI COMMISSION ANNOUNCEMENTS AND REQUEST TO CALENDAR ITEMS

Commissioner Smith: Requested to calendar SB29 ordinance #10699 regarding carrying maps in taxicabs. Requested to change the Certificate of Liability Insurance Form from Police Commission to Taxi Commission as the additional insurer. Informed the Commission that Laguna Street is opening both ways.
Commissioner Barry: Requested to calendar for discussion the larger numbers located on the trunk of taxicabs. Requested to revisit the Taxi Commission Rules and Regulations to review the policy regarding suspension in lieu of revocations.
Commissioner Gillespie: Informed the Commission of an article in the Business Week Magazine that states the Ford Escape hybrid vehicle is being delayed until late summer. He had hoped this vehicle could be used as a taxi. Requested to adjourn today's hearing in memory of Genevieve Lew, Member of the Paratransit Coordinating Council.
Commissioner McGuire: Requested to calendar a hearing to have "Public Comment" open to the disabled community by telephone. Requested a hearing regarding the issue of drivers being required to accept credit cards.

7. PUBLIC COMMENT

- **Barry Taranto:** Requested help from the Commission in dealing with the hotels and restaurants because the limousine problems are at an all time high. Requested the Commission establish quotas before receiving a ramp taxi medallion. Encouraged cab drivers to be careful and be in communication with their dispatchers.
- **Meredith MacArthur, Veterans Cab:** Requested the Commissioners help in downloading photos from an assault that took place against her while driving her cab.
- **Bruce Oka:** Informed the Commission of Genevieve Lew's funeral services. The services will be held Saturday, Nov. 29, 2003 at 11:00 a.m. – McAvoy Funeral Home at 10th Ave./Geary Blvd. – donations can be made to the SPCA. He was very disappointed by what happen to Meredith MacArthur. Suggested changing the Police penal code. He would like to see the ramp taxi requirement be 100 pick-ups during a 6-month period.
- **Tara Housman:** She was sorry that Meredith MacArthur had such a horrible experience. Suggested a firmer protocol be established for downloading photos from the security cameras at the next Commission hearing.

8. HEARING AND POSSIBLE APPROVAL OF BICYCLE COALITION TAXI WARNING STICKERS.

Josh Hart, Bicycle Coalition: Gave a presentation and addressed the concerns of the Taxi Commissioners.

Commissioner Gillespie moved the approval of the use of the "Look before you Leap" sticker on a voluntary basis. Commissioner Barry seconded the motion. Motion passes 4-3

AYES: Jackson, Gillespie, Barry, McGuire **NOES:** Breslin, Paek, Smith

- **Jim Gillespie, DeSoto Cab:** He met with SF Taxi Association to discuss the "Look before you Leap" stickers. He believes the #1 issue at any cab company is safety. He believes installing any additional stickers will not make a big difference, but continuing to educate the drivers and cyclists might.
- **Tara Housman:** Suggested authorizing the stickers, but to not make the signage mandatory. Suggested changing the design of the stickers. Suggested headlights and taillights on bicycles.
- **Mark Gruberg:** He supports making the stickers mandatory although there is already appropriate signage in taxis. Recommended a different design for the stickers.
- **Barry Korengold:** Suggested driver education, a better sticker design and cyclist to install lights on bicycles. He supports the sticker but not to mandate it.
- **Barry Taranto:** He believes making the sticker mandatory because it will help the driver when dealing with liability and insurance costs. Suggested changing the design of the stickers.
- **Jane Bolig:** She believes there is plenty of appropriate signage already in taxi. She believes the Commission is being asked to endorse cheap advertising for the Bicycle Coalition.
- **Bruce Oka:** Concerned that no one consulted with the disabled community on what impact the sticker would have. Agrees with Jane Bolig and Jim Gillespie's statements regarding no more signage is needed in cabs but

to educate the drivers and bicyclist on safety.

9. **REPORT BY SAN FRANCISCO AIRPORT MECHANICS AND SFPD GROUND TRANSPORTATION UNIT REGARDING THE RESULTS OF THE 2003 TAXICAB VEHICLE INSPECTIONS.**

Dan Borg, S.F. Airport Mechanic and SFPD, Ground Transportation Unit: Gave a presentation on the vehicle inspection report.

10. **HEARING AND POSSIBLE APPROVAL OF TAXICAB VEHICLE LIFE RULE AMENDMENT AND GUIDELINES.**

Executive Director Little requested to have item 10 and item 11 heard together.

Dan Borg, S.F. Airport Mechanic and SFPD, Ground Transportation Unit: Gave a presentation on the vehicle life.

Commissioner Smith moved to allow the Taxi Commission to approve new vehicles and alternative fuel vehicles placed into service not to be operated more than 4 years. Commissioner Barry seconded the motion. Motion passes 5-2

AYES: Jackson, Barry, Breslin, Paek, Smith **NOES:** Gillespie, McGuire

PUBLIC COMMENT

- **Jim Gillespie:** He met with S.F. Taxi Association and the new vehicle life extension has their support. He believes it will promote incentives for cab companies to invest in purchasing new vehicles.
- **Barry Korengold:** He is opposed to the 5th year as a spare. He would support a measure if a vehicle had over 250,000 miles that the driver would pay less in gate fees. Recommended if a cab has more than 250,000 miles, it should be inspected at least twice a year.
- **Mark Gruberg:** He questioned the language content for the rule change. He believes the word "and" in the new language means the cab can be old, just as long as it does not exceed 60,000 miles.
- **Tara Housman:** Suggested changing the word "and" to the word "nor" to the following statement. "shall not be operated more than four (4) years **and** exceed 350,000 miles on the odometer". Suggested changing the language used in 5.D.4. Commended Luxor Cab Company on its pass rate on vehicle inspections.
- **Jane Bolig:** In favor of extending the life of the vehicle but not in favor of adding a mileage limits.

11. **HEARING AND POSSIBLE ACTION OF ADDITION TO SPARE TAXICABS RULES AND GUIDELINES.**

Commissioner Smith moved the approval that all spare taxicab must be inspected by the Taxi Commission or its designee every six (6) months after becoming a spare. Commissioner Barry seconded the motion. Motion passes 7-0

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek, Smith **NOES:**

Commissioner Gillespie moved that any taxicabs that exceed 300,000 miles on the odometer must be inspected every 6 months. Commissioner McGuire seconded the motion. Motion passes 7-0

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek, Smith **NOES:**

PUBLIC COMMENT

- **Jim Gillespie, DeSoto Cab, and SFTA:** He recommends 300,000 miles instead of 250,000.
- **Captain Thomas O'Neill, SFPD-Taxi Detail:** Suggested continuing this item until obtaining verification that the airport staff can fulfill the new inspection requirements.
- **Barry Korengold:** He feels that some taxis with 250,000 miles are OK but it is a rarity. Questioned how well the seats in taxis are checked when inspected at the airport.
- **Francis Wilson, Worldwide Cab:** She wanted to know if this rule was for new cabs purchased now, or is this rule retroactive? She wanted to know if this rule applied to her?

- **Barry Taranto:** Recommended that cabs that exceed 300,000 miles or become 3 years old must be inspected every 6 months or which ever comes first.
- **Jane Bolig:** If the Commission is looking at mileage, she urged the Commission to go with the 300,000 mileage. Suggested considering Commissioner Breslin's comments.

12. CLOSED SESSION ON ANTICIPATED LITIGATION

Commissioner Barry moved to approve going into closed session. Commissioner Gillespie seconded the motion. Motion passes 7-0

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek, Smith **NOES:**

Commissioner Barry moved to not to disclose action taken or discussion made during closed session. Commissioner Gillespie seconded the motion. Motion passes 7-0

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek, Smith **NOES:**

PUBLIC COMMENT

- **Mark Gruberg:** Veterans Corporate permits case was already heard by Board of Appeals and the Police Commission. He states Veteran's loss at both Commissions. He suggested that Veterans Corporate permits be returned and reissued.
- **Barry Taranto:** Luxor and Yellow Cab Companies returned their corporate permits. There are people waiting for these medallions. Recommended the Commission not make special arrangements with Veterans Cab Company.
- **Tara Housman:** She believes the 10% rule has been triggered and by rights, all 25 Veteran Corporate permits should be returned to the city. But, if a bargain can be reached between Veterans and the Commission not to revoke all 25 medallions now, but allow Veterans to keep 16 medallions and return 9 medallions and when someone passes away, Veteran will return 2 medallions each time.

13. ADJOURNMENT

Commissioner Gillespie adjourned the meeting in memory of Genevieve Lew at 10:25 p.m. Commissioner Smith seconded the motion.

Respectfully submitted,

Sonya Banks
Commission Secretary

CITY AND COUNTY OF
SAN FRANCISCO

TAXI COMMISSION
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MIN PAEK, COMMISSIONER
MARTIN SMITH, COMMISSIONER

NAOMI LITTLE, EXECUTIVE DIRECTOR

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TAXICAB COMMISSION AGENDA
REGULAR MEETING

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December 10, 2003 at 9:00 a.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 416

12-03-03P01:12 RCVD

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Minutes for the November 25, 2003 Taxicab Commission Meeting. [ACTION]
4. Approval of the Consent Calendar [ACTION]
5. Staff Report
6. Taxi Commission Announcements and Request to Calendar Items
7. Public Comment (Please limit public comment to items not on the agenda)
8. Hearing and Approval of Resolution Urging the Board of Supervisors Amend Municipal Police Code Section 1148.1, to Require that Applicants for a Ramped Taxi Permit Complete a Certain Number of Wheelchair Pick-ups During the Six Months Immediately Preceding the Taxi Commission's Hearing on the Application. [ACTION] (Draft Ordinance)
9. Hearing and Approval of Resolution Urging the Board of Supervisors Amend Municipal Police Code Section 1125 to Allow the Taxi Commission to Consider During Color Scheme Change Applications the Proposed Impact Upon the Quantity and Quality of Radio-Dispatched Taxicab Service or Paratransit Service Available to the Public. [ACTION] (Draft Ordinance)
10. Hearing and Discussion on Taxicab Security Camera SFPD Department Bulletin. [DISCUSSION]
11. Adjournment

Taxicab Commission Agenda
Regular Meeting
December 10, 2003, 9:00 a.m.
City Hall, 1 Dr. Carlton B. Goodlett Place
Room 416

CONSENT CALENDAR

A. Recommendation of the Police Taxicab Detail for approval of Driver Public Passenger Vehicle permits to:

Orhan Aglagu	Leandro Alves	Gary B. Griggs	Cuneyt Butuner
Fernando Costa	Rodrigo O. Desousa	Montgomery J. George	Basem Hammad
Cheyung Huang	Baouala Inthasone	Steve D. Kufalis	Juan C. Leon
Nikola H. Mankov	Melese B. Mengesha	Tumor Munhsaihan	Alexander C. Present
Shelinder Singh	Nilson Sjohom	Paul J. Willis	Erik Wingren

B. Recommendation of the Police Taxicab Detail for approval of Taxicab Color Scheme Changes to: (Approval is conditional upon the applicant submitting insurance certification indicating appropriate coverage to operate under the new Color Scheme, notification to the Taxi Detail of the Specific Date of change and that such change be completed within ten (10) days of Commission Approval).

	Medallion Holder	Cab #	Color Scheme
1.	Jane Bolig	768	DeSoto Cab to National Cab

C. Approval of Revocation of Driver Public Passenger Vehicle For Hire Permit Held by Joe Leung

NOTICE

This is not an agenda item for this meeting, but serves as a public notice

The following individuals have filed and completed applications for Taxicab Medallion Holder Permits, Ramped Taxicab Medallion Holder Permits or Color Scheme Changes which will be reviewed and considered on the December 9, 2003 hearing: (copies of the applications are available for review at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm).

TAXICAB PERMIT HOLDER:
Farhad Golshan

RAMPED TAXICAB: *None*

COLOR SCHEME CHANGES: *None*

NEW COLOR SCHEME: *None*

Public Comment may be limited to two minutes for a specific item number depending on the number of speakers.

Copies of the commission's "Procedures for Protesting the Prospective Issuance of a Taxicab/Ramped Taxi Permit (Medallion)" are available upon request at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458, each Business day from 9am to 4pm.

(Documents distributed are in parenthesis) Copies of obtainable documents may be viewed or obtained at the San Francisco Police Taxicab Detail, 850 Bryant Street, Room 458.

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Citizens interested in obtaining a copy of the Sunshine Ordinance can request a copy from Ms. Donna Hall or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.amlegal.com/sanfran/viewcode.htm

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WARNING

The ringing of and use of cell phones, pagers, and similar sound-producing devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound producing electronic devices. *(San Francisco Administrative Code, sec. 67A.1)*

Taxicab Commission

December 10, 2003

ARTHUR M. JACKSON, PRESIDIENT

PAUL GILLESPIE, VICE PRESIDENT

JOHN BARRY, COMMISSIONER

PATRICIA BRESLIN, COMMISSIONER

MARY McGUIRE, COMMISSIONER

MIN PAEK, COMMISSIONER

MARTIN SMITH, COMMISSIONER

NAOMI M. LITTLE, EXECUTIVE DIRECTOR

MINUTES

Commission Chambers - Room 400

City Hall, 1 Dr. Carlton B. Goodlett Place

December 10, 2003

9:00 AM

Regular Meeting

PRESENT: Jackson; Gillespie; Barry; Breslin; McGuire; Paek; Smith

PRESIDENT JACKSON CALLED THE MEETING TO ORDER AT 9:05 AM

STAFF IN ATTENDANCE: Executive Director Naomi Little, Sonya Banks, Cynthia Kang-Welin - Taxi Commission; Captain Thomas O'Neill, Lieutenant Jeanne Schlotz, Sergeant Vince Simpson, Inspector Farrell Suslow - Taxi Detail

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL - The Roll Call showed a quorum was present.**

3. **APPROVAL OF THE MINUTES FOR THE NOVEMBER 25, 2003 TAXI COMMISSION MEETING**

Commissioner Paek moved the approval of the minutes. Commissioner Smith seconded the motion.

AYES: Jackson, Gillespie, Paek, Smith **NOES:** None

ABSENT: Barry, Breslin, McGuire

PUBLIC COMMENT

· **Peter Witt:** He mislabeled his notes but submitted written comments as follows: Commission McGuire requested Director Little to post a public access number so the public would be able to give input by phone if they were unable to attend hearing. Excluding drivers and handicapped the only other time the public ever gives comment is at P.C.&N. hearings. Which the "G.G.R.A." the "Hotel mangers" and the "Visitor and Convention Bureau" claim to represent. Recently you held another special meeting in Hunter Point, to get input. "Not one member from the public showed". Service must be O.K., No one complained. Your flyer said... Quote "Your input is extremely valuable,...and mentions "complaint procedures"... That weren't discussed, "refusals to dispatch orders to H.P."...not other districts or the handicapped. Why haven't you released the number? Are you being selective, gathering evidence? The Taxi Task Force recommended in 1998 a taxi dispatch sub-committee. You don't respond to driver's complaints about dispatch. Don't you care about service.

4. **APPROVAL OF THE CONSENT CALENDAR**

Commissioner Gillespie moved to sever 4C of the Consent Calendar. Commissioner Paek seconded the motion.

4A, B Driver of Public Vehicle for Hire Permits and Taxicab Color Scheme Changes

Commissioner Gillespie moved the approval of 4A and 4B of the Consent Calendar. Commissioner Paek seconded the motion.

AYES: Jackson, Gillespie, Barry, Breslin, Paek, Smith **NOES:** None

ABSENT: McGuire

4C Revocation of Driver Public Passenger Vehicle For Hire Permit Held by Joe Leung

Commissioner Smith moved to approve the revocation of 4C. Commissioner Paek seconded the motion. Motion passes 5-1

AYES: Jackson, Gillespie, Breslin, Paek, Smith
NOES: Barry

ABSENT: McGuire

PUBLIC COMMENT

· **Peter Witt, Native San Franciscans:** He ran across some guidelines for color scheme changes, Commissioner McGuire proposed dated April 3, 2001. It asks: "A sufficient reason must be given to the Taxi Commission regarding how this change will improve service to the public. Commissioner McGuire moved from Yellow Cab to National after she became an owner and got her medallion. (Commission McGuire is supposed to represent labor) So how does moving from a big company to a small company improve service? And isn't National the company that pays $5.00 to the

doormen at the Hotels for airport loads? I bring this up because now ex-Commission Bolig is moving from DeSoto Cab to National Cab. He was wondering how this will improve service?

- **Ruach Graffis, UTW:** She believes Joe Leung losing his A-card for a first time offense is over the top. Suggested creating a policy for first time offense. Recommended suspension.

- **Bruce Oka, Member of the Paratransit Coordinating Council:** Commented on Ruach Graffis's comments. The Paratransit Council takes the illegal purchase of scrip seriously. There will be consequences for the owner of the scrip's as well. Ruach Graffis suggested suspension, but on the paratransit scrip books it clearly states "Resale is illegal".

- **Barry Taranto:** He attended the disciplinary hearings. Suggested probation or suspension for a first time offense. Recommended not setting the standard on certain cases for immediate revocation. Recommended showing compassion on the next two cases which are schedule to be heard by this Commission.

5. STAFF REPORT

Naomi Little, Executive Director: On December 9, 2003 at the Board of Supervisor's committee meeting the ordinance to amend Municipal Police Code 1089 "To Disqualify Applicant with a criminal background" was continued at the call of the chair. The Board of Supervisors requested that more research is needed. The December 23, 2003 Taxi Commission hearing will be canceled. The next hearing will be on January 13, 2004. The Annual Safety Hearing will be on December 18, 2003 in room 408.

6. TAXI COMMISSION ANNOUNCEMENTS AND REQUEST TO CALENDAR ITEMS

Commissioner Barry: Requested to calendar for discussion the numbers located on the trunk of taxicabs.

Commissioner Smith: Requested to calendar for discussion Taxi Commission Rules and Regulation Section 4 "All medallion holders must drive their own medallions" when complying with the full-time driving requirement. Requested to calendar the diamond lane infraction.

Commissioner Gillespie: Suggested distributing a flyer that is required to be posted at all Taxi Companies explaining there will revocation of your permits for purchasing paratransit scrip. Congratulated Supervisor Newsom on being elect mayor.

PUBLIC COMMENT

· **Barry Taranto:** He states when you get your A-card renewed, there is a warning statement attached "Sale or purchasing paratransit scrip is illegal. In the Municipal Police Code, it states that taxi drivers can use the diamond lanes, so there is no hearing necessary.

· **Jane Bolig:** Recommended copies of the Municipal Police Code on diamond lanes be made available for drivers.

· **Peter Witt:** Agreed with Barry Taranto and Jane Bolig's comments. He surveyed over 5,600 taxi customers, and has been endorsed by over 1,000 taxi drivers to represent them in 2000. He submitted a petition signed by over 500 drivers denouncing blindly approved taxi regs, which were imposed by a green-horned Commission in 1999. He submitted a petition signed by over 500 Yellow cab drivers stating that Yellow dispatch was deeply flawed! (and may still be). And submitted a petition signed by over 200 customers, stating that Yellow's dispatch is the worst in the city. After receiving seven stitches above the eye by a limo driver (1999), he started to document illegal limo operators and continues to this day. Fact, the previous president kicked him out. He has never been helped by...the police, this commission... or the UTW. (Requests) 1. He would like to announce or request that you take seriously the results of an independent analysis being done to his surveys that he has submitted to this commission every year. 2. And, could we have some more taxi stands that are not in front of hotels? -

7. PUBLIC COMMENT

· **Barry Taranto:** Suggested the Taxi Commission staff get involved with the Airport Commission to find out what changes are taking place with Shuttle Port. Medallion holders who violate the driving requirements are taking money out of the pockets of drivers. Asked if there was appacrosie. Asked why doormen and limousine drivers are not punished for taking money out of the pockets of drivers?

· **Bruce Oka:** Announced the Paratransit Coordinating Council meeting today, December 10, 2003 at 10:30 a.m., 711 Eddy Street.

· **Peter Witt:** He wanted to know if Commissioner McGuire's request had been completed. The request was to have a call in phone number available for the handicapped community who could not attend the hearings. Discussed Bruce Schaller's report. Questioned Jane Bolig's color scheme change.

· **John Lazar:** Wished everyone a happy holiday. At DeSoto Cab, he has noticed taxi drivers are getting more ticket citations. The cab companies that are in compliance with worker's compensation are not being compensated, as far as he is concerned. He believes if you are going to do business in San Francisco as an employer, you should have adequate insurance coverage on your employees.

· **Jane Bolig:** Wished her son Matthew a happy birthday. She explained her reason for transferring from DeSoto to National is to achieve higher goals.

8. HEARING AND POSSIBLE APPROVAL OF A RESOLUTION URGING THE BOARD OF SUPERVISORS TO AMEND MUNCIPAL POLICE CODE SECTION 1148.1 TO REQUIRE

THAT APPLICANTS FOR A RAMPED TAXI PERMIT COMPLETE A CERTAIN NUMBER OF WHEELCHAIR PICK-UPS DURING THE SIX MONTHS IMMEDIATELY PRECEDING THE TAXI COMMISSION'S HEARING ON THE APPLICATION.

Commissioner Breslin moved to approve the ordinance by adding to the driving requirement for ramp taxis that the driving experience must include 100 wheelchair pick-ups during the six months immediately proceeding the commission hearing on application. Commissioner Gillespie seconded the motion. Motion passes 7-0

AYES: Jackson, Gillespie, Barry, Breslin, McGuire, Paek, Smith
NOES: None

- **Bruce Oka:** Strongly in favor of amending MPC section 1148.1. Recommended all potential ramp drivers take the ramp training course before receiving their ramp permit.

- **Barry Taranto:** Thanked Executive Director Little and City Attorney Owen for preparing this ordinance. Recommended requiring an appropriate, realistic number of ramp pick-ups by the ramp permit holder.

- **Peter Witt:** He asked the commission if there is action without discussion. What happened to the pilot program? He submitted a statement by Mr. Jim Kennedy dated Oct. 2001 about the ramp program. Why do you have to force the ramp drivers to pick-up radio calls? Why are regular taxis required to pick up ten fares, if available? And just why 6 months prior to? What about after six months? You know...I can't afford to pick up radio calls...when they are not efficient. You see...the more customers served... the more money I make. With regards to the ramp van program, if you want to save a drowning victim, you never jump in to save them, if...you're going to drown yourself. You get some help. (Ref. 2001, Oct. minutes). It seems that the ramp program is directly tied to regular taxis with a six-month driving requirement and taking radio calls. But, it's apples to oranges.

- **Tara Housman:** Agreed it is a good idea to have ramp applicants prove they actually pick-up ramp passengers before receiving their permit. However, what if there isn't enough ramp orders to fulfill the requirement. Suggested a centralized ramp taxi dispatch service.

9. HEARING AND APPROVAL OF RESOLUTION URGING THE BOARD OF SUPERVISORS AMEND MUNICIPAL POLICE CODE SECTION 1125 TO ALLOW THE TAXI COMMISSION TO CONSIDER DURING COLOR SCHEME CHANGE APPLICATIONS THE PROPOSED IMPACT UPON THE QUANTITY AND QUALITY OF RADIO-DISPATCHED TAXICAB SERVICE OR PARATRANSIT SERVICE AVAILABLE TO THE PUBLIC.

Commissioner Smith moved to approve of amending MPC section 1125. Commissioner Gillespie seconded the motion. Motion passes 6-1

AYES: Jackson, Gillespie, Barry, Breslin, Paek, Smith **NOES:** McGuire

PUBLIC COMMENT

- **Ruach Graffis:** Agreed with Commissioner McGuire's comments. Suggested making the rule to get a ramp taxi permit conditional permanently that someone who receives a ramp taxi permit continues to pick-up ramp taxi orders and every six-months, turn in their waybills to prove they have been picking up ramp orders.

- **Tara Housman:** The ordinance is not specific enough. The Commission already has the right to make certain discussions without changing the law.

- **Peter Witt:** "Ramp taxi with action and no discussion". Where's the study. I don't buy the data that says Yellow Cab received 1419 orders and serviced 1419 orders. If you noticed, Yellow Cab also has three times the orders compared with Luxor Cab, which is the opposite of regular service. Very odd! When you consider...on Thursday night at 7:30 last week a message read "5 ramp orders went to other companies". Commissioners, is this your idea of service? If you're going to judge the quality and the quantity of radio dispatch service available to the public... without a sub-committee or a taskforce, you will again act without conscience, to suit you fancy. If a driver can't make money independently as a cab driver...and is forced to earn less, and not being able to make a good living or feed the family, I don't think you'll furthering their interest, if this is truly the case. Maybe the handicapped should think about changing their habits.

- **Jane Bolig:** Some parts of the ordinance are confusing. She is concerned with specific criteria, if you match a smaller cab company number of calls received against the calls received at a larger cab company. Recommend continuing this item until further research can be done.

10. HEARING AND DISCUSSION ON TAXICAB SECURITY CAMERA SFPD BULLETIN.

The hearing will now be chaired by Vice President Gillespie. President Jackson and Commissioner Breslin have prior engagements.

Inspector Farrell Suslow, S.F.P.D. Taxi Detail: He gave a presentation on the security cameras.

Captain Thomas O'Neill, S.F.P.D. Taxi Detail: Clarification of what type of crimes can be downloaded.

PUBLIC COMMENT

- **Melvin Berger:** On November 14, 2003, he apprehended an intruder/burglar in his home. He states that Veteran Cab #194 picked-up the suspected intruder/burglar who assaulted him. He feels the security cameras are useless unless they can be used for gathering evidence.

- **Barry Taranto:** Recommended the Taxi Commission ask the Board of Supervisors for serious ramification for assaulting taxi drivers, like with Muni drivers and other city workers. Assaults are very serious and affect the ability for taxi drivers to do their jobs effectively.

- **Ruach Graffis:** Agrees with Barry Taranto's comments. Recommended including taxi drivers in the special laws that make assaulting a Muni driver and police officers a more serious crime.

- **Tara Housman:** She is curious as to what resources are required, is it an expensive or time consuming process to download the images? Suggested using the taxi wrap funds to purchase spare flashcards so the police can have extras available. Recommended provisions for the driver to demand a hold on the cab or if the evidence can be preserved. She questioned if downloading was available 24 hours a day. Suggested a bulletin be distributed to other police departments informing them that taxicabs are now equipped with security cameras.

- **Peter Witt:** The negotiating process has been queued, if only the police, the Taxi Commission and Inspectors Bureau negotiated the guidelines. Who speaks for the drivers? For years he has complained about this Commission and limousines operating illegally while at the same time, complained to Taxi Detail and general works about "a" certain limousine driver who fled the scene of a felonious assault. A police report was filed and no follow through was made. No investigation was ever done. Get the picture...Well I had an address. Both agencies told me, I shouldn't pursue the case because "the limousine driver might sue me". ("they" were doing the same thing at the time.) Where's the cases solved reports? Just who is the protecting who? Who's serving who? Just look at "who's got a medallion"...that's the frame work, if you get the picture.

11. ADJOURNMENT

Commissioner Smith adjourned the meeting at 12:00 p.m.

Respectfully

submitted,

Sonya Banks

Commission Secretary

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